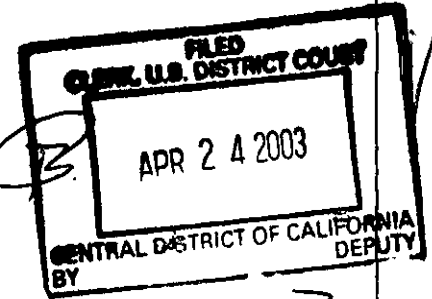


1 SOPHIA STEWART
2 P.O. BOX 165153
3 SALT LAKE CITY, UTAH 84116

4 Telephone: (801) 220-0588

5 Plaintiff in Pro Se



3:00

6 Fee Paid 5/20

7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA

9 CV 03-2873-TJH(VBKx)

10 SOPHIA STEWART,

11 Plaintiff,

12 vs.

13 ANDY WACHOWSKI LARRY
14 WACHOWSKI, GALE ANN HURD,
15 JAMES CAMERON, HEMDALE FILMS,
16 JOEL SILVERS, 20TH CENTURY FOX
17 PRODUCTIONS, WARNER BROTHERS.

18 Defendants.

Case No:

**COMPLAINT FOR DAMAGES
AND EQUITABLE RELIEF FOR:**

- 1. COPYRIGHT INFRINGEMENT [17, U.S.C.];
- 2. RACKETEER INFLUENCED AND CORRUPT ORGANIZATION [R.I.C.O.]:
 - A. WIRE FRAUD
 - B. MAIL FRAUD [18 U.S.C.A.]
- 3. SUPPLEMENTAL/PENDENT STATE CLAIMS:
 - A. UNFAIR COMPETITION

JURY TRIAL DEMANDED

19
20
21
22 Plaintiff, **SOPHIA STEWART** [hereinafter "**Plaintiff**"], respectively, in
23 pro se, for her Complaint against Defendants **Andy Wachowski** [hereinafter "**Andy**"],
24 **Gale Ann Hurd**, [hereinafter "**Gale**"]. **Hemdale Films**, [hereinafter "**Hemdale**"],
25 **James Cameron**, [hereinafter "**James**"], **Joel Silver**, [hereinafter "**Joel**"], **Larry**
26 **Wachowski**, [hereinafter "**Larry**"]. **20th Century Fox Productions**, [formerly
27 Twentieth Century Fox Productions][hereinafter "**20th Century**"], and **Warner Brothers**
28 [hereinafter "**Warner Brother's**"]. [hereinafter collectively named, "**Defendants**"], and

COMPLAINT FOR DAMAGES AND EQUITABLE RELIEF

APR 28 2003

ORIGINAL

1 each of them, jointly and severally, of which, Plaintiff's information and belief are based,
2 among other things, as to her own personal knowledge and upon her own acts and
3 conduct, and upon her original writings, documents, papers, files, forms, memorandum(s),
4 notes, and scripts, for movie motion picture productions, comic book series, and screen
5 treatments, hereinafter alleges, contends and avers, that Defendant's, and each of them,
6 have deliberately, intentionally, willfully, knowingly and oppressively, infringed upon
7 and violated Plaintiff's protected and secured copyrighted rights and privileges obtained,
8 secured and protected. by way of her Certificate of Copyright Registrations [United States
9 Copyright Office, The Library of Congress]

10 Plaintiff, having duly received such Certificate of Copyright Registration
11 under assigned and proscribed registrations numbers, to wit: **Txu 117-610** and **Txu 154-**
12 **281**, for her literary treatment entitled, "**The Third Eye**" [February 2, 1983, and the Third
13 Eye [Add on Manuscript, (45 pages)], alternatively Third Eye Treatment (6 pages)
14 [February 6, 1984], and upon documents, papers, files, notes, memorandum's, scripts,
15 video(s) recordings, electronic and or magnetic tapes, and reproductions thereof, among
16 other writings, [hereinafter "documents"], generated and produced from Plaintiff's
17 documents, by the "Defendants", and each of them, for their sole and exclusive
18 production, reproduction, formulation, creation, development and proscription into a
19 series of movie motion pictures, screen plays, comic books, miscellaneous movie motion
20 picture characters and related merchandise, including but not limited to: video
21 reproductions, electronic and or magnetic recording tapes, of which directly and
22 immediately reveal, reflect and disclose the "Defendants" knowing, deliberate, willful
23 and intentional participation in a carefully created and developed fraudulent and deceitful
24 plan, scheme and design detailed later in this Complaint.

25 Since many of Plaintiff's "documents", were either purposefully hidden
26 from Plaintiff and or destroyed by Defendants, in which to prevent Plaintiff's discovery
27 therefrom, and or otherwise unavailable to Plaintiff, under and pursuant to the **Privacy**
28 **Act of 1974**, as promulgated under **5 U.S.C. § 552a(j)(2)**, See **28 C.F.R. § 16.96(a)**

1 **[2001]**, and or protected from disclosure under the **Freedom of Information Act**
2 pursuant to **5 U.S.C. § 552(b)(7)(c)**, and others during the course of their fraudulent plan,
3 scheme and design, and that of their deliberate, willful, malicious and oppressive
4 Copyright infringement, from Plaintiff's knowledge and information, [despite diligent
5 pursuit thereof], Plaintiff believes that discovery from the Defendants, and each of them,
6 will reveal additional "documents", that further support Plaintiff's claims for relief.

7
8 **NATURE OF THE ACTION**

9 1. This action arises out of a carefully [fraudulent] plan, scheme and design,
10 by which Plaintiff was intentionally, deliberately and willfully defrauded of her
11 Certificate of Copyright Registration rights secured and protected to her from
12 infringement of her own, original, literary screen treatment, entitled "**The Third Eye**"
13 [Certificate of Copyright Registration. February 2, 1983], as well as the epic science
14 fiction manuscript consisting of 45b pages, entitled the "**Third Eye**" more appropriately
15 identified as "add on Epic Science Fiction Manuscript, alternatively Third Eye
16 (Treatment) 6 pages", [Certificate of Copyright Registration, February 6, 1984], in a sum
17 in excess of **Two Hundred Million Dollars (\$200,000,000)**, plus ten (10%) percent
18 royalties from the gross income from the time that Defendants, and each of them,
19 deliberately, purposefully, intentionally and wrongfully released to the general purchasing
20 public, three (3) separate movie motion pictures, video reproductions, electronic and or
21 magnetic tapes, and or other electronic and or magnetic movie motion picture
22 productions, entitled: The "**Terminator**", "**Terminator II**", and the "**Matrix**",
23 including its prequel and or sequels, and comic book series, which consists of parts of the
24 same identical synopsis, theories, character analysis, ideas, illustrations, graphic designs,
25 illuminations and names as that of Plaintiff's six (6) page screen treatment and add on 45
26 page manuscript. A copy of the Certificate of Copyright Registration Form TX United
27 States Copyright Office, Registration Numbers Txu 117-610 and Txu 154-281, is
28 attached hereto and marked as Plaintiff's Exhibit "A" and "B", respectively.

1 2. Each of those three (3) individual movie motion picture productions,
2 entitled, the Terminator, Terminator II, and the Matrix, including prequel and sequels,
3 comic book series were prepared, created, developed and proscribe by said Defendants,
4 and so released for viewing and purchase, by the general purchasing public in movie
5 theaters, on video(s) reproductions, and other electronic and or magnetic tape devices and
6 by methods of reproduction recordings [D.V.D.], video hand held and stationary units, re-
7 runs on national television and syndication television, movies made for television, and
8 international/ foreign viewing by the general public throughout the world, by means of
9 foreign, international, domestic, interstate and intrastate commerce, [satellite devices,
10 computer software via e-mail, United States Postal Service, United States Mail Service,
11 mail and wire transfers and communications, publication, distribution] contained
12 substantial material parts, components thereof, in fraud, deceit and deception of
13 Plaintiff's protected and secured registration of Plaintiff's original six (6) page screen
14 treatment and original add on 45 page epic science fiction manuscript, entitled the "Third
15 Eye", without the expressed, written or oral, and exclusive permission, consent and
16 authority of Plaintiff in violation of Plaintiff's right secured by and under the **Copyright**
17 **Act of 1976**, as amended, **17 USC §§ 101 et seq.**

18 3. The "Defendants", and each of them, were all members of a group of
19 movie motion picture producers, directors, officers, authorized agents, benefactors,
20 editors, screen writers, movie composers, movie motion picture distributors, and movie
21 production companies, conspirators all, who agreed between and among themselves, to
22 engage, act, conduct, and or perform and did engage, act, conduct, and or perform and
23 are engaging, acting, conducting, and or performing in acts of wrongful deception,
24 misrepresentation, fraud and deceit to Plaintiff and that of the purchasing public;
25 wrongful deprivation of wrongful deception of Plaintiff's good name and reputation; the
26 wrongful deprivation of Plaintiff's right to public recognition and credit as an epic
27 science fiction composer, editor, developer, and or creator, screen treatment writer,
28 composer, editor and creator of certain copyrighted literary and or artistic work(s) and the

1 owner of the copyrighted original six (6) page screen treatment and original Epic Science
2 Fiction Manuscript, consisting of forty-five (45) pages, entitled, the “**Third Eye**”, which
3 is the underlying basis, theme, graphic designs, illustrations and composition of said three
4 (3) movie motion picture productions, comic book series and screen plays.

5 4. Copyright is a form of protection provided by the laws of the United
6 States (**Title 17, United States Code**) to the authors of “original works of authorship”
7 including: A. Literary works; B. Musical works, including accompanying words;
8 C. Dramatic works, including accompanying music; D. Pantomimes and choreographic
9 works; E. Pictorial, graphic, and sculptural works; F. Motion pictures and other
10 audiovisual works; G. Sound recordings; and H. Architectural works. This
11 protection is available to both published and unpublished works. Copyright protects
12 “**original works of authorship**” that are fixed in a tangible form of expression. The
13 fixation need not be directly perceptible, so long as it may be communicated with the aid
14 of a machine or device.

15 5. Defendants, and each of them, conspired among and between themselves,
16 and or were part and parcel of the over-all carefully [fraudulent] planned, scheme and
17 design in which to form a conspiracy for their joint and several, exclusive monetary,
18 financial and beneficial purpose, to either wrongfully obtain, acquire, and secure from
19 Plaintiff and or from Plaintiff’s authorized agents, Plaintiff’s entire protected copyrighted
20 original literary works, and or copied substantial material parts therefrom, and or
21 components thereof, sequences, scripts, averments, statements and information,
22 illustrations, graphic designs, character analysis, screen treatments, making of the Third
23 Eye, notes, and 45 page manuscript, which consisted of the Plaintiff’s protected/
24 copyrighted original six (6) page screen treatment and the protected copyrighted original
25 45 page Epic Science Fiction Manuscript entitled The Third Eye.

26 6. The copying of Plaintiff’s protected literary works; artistic works, ideas,
27 graphic designs, illustrations, character analysis, scripts, sequences, character analysis,
28 ideas, the making of the Third Eye, screen treatment and 45 page manuscript, recreated,

1 promoted, produced, promulgated, disbursed and distributed by Defendants, and each of
2 them of the movie motion pictures, entitled the "Terminator", "**Terminator II**", and the
3 "**Matrix**", were specifically, intentionally, deliberately, willfully, and oppressively
4 redesigned, recreated, redeveloped, reproduced and distributed throughout the United
5 States of America, foreign and abroad, [third (3rd) world countries], from the character
6 analysis, graphic illustrations, draft, synopsis, illustrations, scripts, character analysis, the
7 making of the Third Eye, the six page screen treatment, and 45 page Epic Science Fiction
8 Manuscript, originally developed, designed, formulated and created by Plaintiff as
9 protected, within her copyrighted original six page screen treatment and original 45 page
10 Epic Science Fiction Manuscript entitled the Third Eye, which, inter alia, infringed upon,
11 and continues to infringe upon and violates Plaintiff's rights and privileges secured to her
12 by the laws of the United States of America, as so defined within Plaintiff's filed and
13 issued Certificate of Copyright Registration Numbers Txu 117-610 and Txu 154-281,
14 without modification, and or change, but for Defendant's name changes of said character
15 analysis.

16 7. The Defendants recreation, redevelopment, promotion, reproduction,
17 promulgation, distribution, and disbursement throughout the United States of America
18 and abroad to third (3rd) world countries, of the movie motion picture entitled the
19 "**Matrix**" by Defendants, and each of them, originally included, but was not limited to
20 more than thirty (30) minutes of Plaintiff's original character analysis, graphic
21 illustrations, drafts, synopsis, the making of the Third Eye, and the six page screen
22 treatment, and more particularly, the "introduction", by which, Defendants, and each of
23 them, by way of their deliberate, intentional, willful and oppressive fraudulent plan,
24 design, scheme, and the redevelopment, production, and recreation, of secondary
25 electronic recording devices [D.V.D.] and electronic and or magnetic tape recordings, and
26 of supplemental video reproductions and or original video production, and disbursement
27 thereof to the general public throughout the world, for their own monetary and financial
28 profit, financial gain and beneficial interest, deliberately, intentionally and willfully, **cut,**

1 removed, omitted and or destroyed from the original production of the movie
2 motion picture, more than thirty (30) minutes of the movie motion picture's
3 introduction [originally produced for viewing by the general public approximately 160
4 minutes, to that of approximately 130 minutes], in an attempt to avoid both civil and
5 criminal penalties for Copyright Infringement under Title 17, supra, of Plaintiff's literary
6 and artistic source works, as noticed and acknowledged by the Federal Bureau of
7 Investigation.

8
9 **THE PARTIES**

10 8. Plaintiff Sophia Stewart, a screen treatment writer, composer, editor of
11 science fiction scripts, projects, reviews and manuscripts is a citizen and resident of Salt
12 Lake City, Utah, having obtained and qualified for a Certificate of Copyright Registration
13 of her six page screen treatment and add on 45 page manuscript entitled The Third Eye.
14 A copy of the six page screen treatment and 45 page manuscript is attached hereto,
15 separately, from Plaintiff's other attached and marked exhibits herein, and made a part
16 hereof as though fully set forth at length.

17 9. On information and belief, Defendant Andy Wachowski , a producer of
18 movie motion picture production, director, comic book writer and a citizen and resident
19 of Los Angeles County, California. On information and belief, Defendant Andy
20 Wachowski is the brother of Defendant Larry Wachowski. . On further information and
21 belief, Defendant Andy Wachowski and Defendant Larry Wachowski placed
22 advertisements in a nationwide specialty magazine and or publication and invited writers
23 of science fiction epics, screen treatment, more particularly, science fiction documents, to
24 submit their literary and artistic works to said Defendants for reproduction and use in
25 science fiction comic book series.

26 10. On information and belief, Defendant Larry Wachowski , a producer of
27 movie motion picture production, director, comic book writer and citizen and resident of
28 Los Angeles County, California. On information and belief, Defendant Larry

1 Wachowski is the brother of Defendant Andy Wachowski .. On further information and
2 belief, Defendant Larry Wachowski and Defendant Andy Wachowski placed
3 advertisements in a nationwide specialty magazine and or publication and invited writers
4 of science fiction epics, screen treatment, more particularly, science fiction documents, to
5 submit their literary and artistic works to said Defendants for reproduction and use in
6 science fiction comic book series.

7 11. On information and belief, Defendant Gale Ann Hurd, is a citizen and
8 resident of Los Angeles, California. On information and belief, Defendant is a producer-
9 financial backer of movie motion picture productions, and is the former wife/spouse of
10 Defendant James Cameron, herein.

11 12. On information and belief, Defendant James Cameron is a citizen and
12 resident of Los Angeles, County, California. On information and belief, Defendant James
13 Cameron is a movie motion picture director, editor, composer,, producer and
14 screenwriter..

15 13. On information and belief, Defendant Hemdale Films, is a dummy
16 corporation, now defunct, but at all times herein material was a holding company, and
17 distribution company for movie motion picture productions for Defendant James
18 Cameron and Defendant 20th Century Fox Productions, having its principal place of
19 business in the County of Los Angeles, State of California. On information and belief,
20 Defendant Hemdale Films is a California corporation.

21 14. On information and belief, Defendant Joel Silver is a citizen and resident of
22 the County of Los Angeles, State of California and is a director of movie motion picture
23 productions.

24 15. On information and belief, Defendant 20th Century Fox Productions is a
25 California corporation having its principal place of business in the County of Los
26 Angeles, State of California and is principally a movie motion picture production
27 company and is a citizen of the State of California

28 ///

1 16. On information and belief, Defendant Warner Brothers is a California
2 corporation having its principal place of business in the County of Los Angeles, State of
3 California and is principally a movie motion picture production company and is a citizen
4 of the State of California.

5
6 **JURISDICTION AND VENUE**

7 17. This Court's jurisdiction is based upon Copyright Act 17 U.S.C. §§ 101 et
8 seq. and Judicial Code 28 U.S.C. § 1338(a); 28 U.S.C. §§ 1331 and 1332; 15 U.S.C. §
9 78aa; 18 U.S.C. 1964(a); 29 U.S.C. § 1132(e)(1); and applicable principles of
10 supplemental jurisdiction under 28 U.S.C. § 1367 (a).

11 18. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and
12 (d); 15 U.S.C. § 78aa; 18 U.S.C. § 1965; and 29 U.S.C. § 1132(e)(2).

13
14
15
16 **BASIS FOR CLAIMS FOR COPYRIGHT INFRINGEMENT AND**
17 **RACKETEER INFLUENCE CORRUPT ORGANIZATION (ACT) [R.I.C.O]**
18 **VIOLATION AMONG SUPPLEMENTAL STATE CLAIMS AND OR CAUSES**

19 19. In early 1981, Plaintiff, a writer and composer of literary and artistic works,
20 caused to be prepared and prepared, on her own, without assistance, supervision and
21 control, a six page screen treatment, entitled "The Third Eye", and thereafter, in addition
22 thereto, caused to be prepared and prepared a 45 page Epic Science Fiction Manuscript, to
23 which she also entitled, The Third Eye.

24 20 During the early part of 1981, Plaintiff further created an original literary
25 and artistic source work complex concept that was years before its time and was not
26 considered commercially viable in the early 1980's. A copy of a letter dated June 8,
27 1981, from Columbia Pictures Industries, Inc., Richard Berres, Vice President, Director
28 of Music, is attached hereto and marked as Plaintiff's Exhibit "C", and made a part hereof

1 as though full set forth at length.

2 21. In or about May, 1981, Plaintiff forwarded and delivered a copy of her
3 original six page screen treatment to **Defendant 20th Century**, by way of Susan
4 Merzbach, then a Vice President of Creative Affairs, and at that time a corporate officer
5 for said Defendant.

6 22. Susan Merzbach, after having read and approved Plaintiff's science fiction
7 treatment entitled, Third Eye, verbally contacted Plaintiff, to inquire of Plaintiff,
8 whether Plaintiff had more materials, documents, screen treatment, and or scripts that
9 Plaintiff had written on Plaintiff's screen treatment in addition to the six page screen
10 treatment already delivered. Plaintiff informed Susan Merzbach that Plaintiff was in the
11 process of working on a full and complete manuscript of the screen treatment entitled the
12 Third Eye, that the actual completion of the manuscript would not be available until the
13 Winter of 1983.

14 23. On or about the Winter of 1983, Plaintiff was verbally contacted by
15 Defendant 20th Century, and more particularly, David Madden's office, by way of his
16 authorized representative, Valerie Redd, requesting of Plaintiff, Plaintiff's promised
17 completion of Plaintiff's Epic Science Fiction Manuscript.

18 24. Pursuant to the verbal telephone conversation by and between Plaintiff and
19 Valerie Redd, of David Madden's Office of Defendant 20th Century Fox Productions,
20 Plaintiff had completed her 45 page Epic Science Fiction Manuscript in or about the year
21 of 1984, and thereafter caused to be delivered [through her authorized agent] to said
22 Defendant 20th Century, a full and complete copy of Plaintiff's original Epic Science
23 Fiction Manuscript [consisting of 45 pages, plus cover and miscellaneous pages], entitled
24 the Third Eye. A copy of a conforming letter dated August 18, 1984, from the office of
25 Ester Duffie, Agent to Valerie Redd, David Madden's Office 20th Century Fox
26 Productions is attached hereto and marked as Plaintiff's Exhibit "D", and made a part
27 hereof as though fully set forth at length herein.

28 ///

1 25. On or about July 1, 1985, Plaintiff, by and through her authorized agent, sent
2 a written communication to Defendant 20th Century, attention Lora Lee, Story Editor,
3 advising said Defendant of Plaintiff's previous verbal communications with that of Susan
4 Merzbach, Vice President of Creative Affairs for Defendant 20th Century, and that of
5 Plaintiff's previous delivery to Defendant 20th Century via David Madden's office, of the
6 full and complete 45 page Epic Science Fiction Manuscript [hereinafter "Manuscript"],
7 entitled the Third Eye. In addition thereto, Plaintiff advised Defendant 20th Century, that
8 the delivery of the first Manuscript was by way of return receipt requested, accepted by
9 Defendant 20th Century, but not acknowledgment on the return receipt itself, and that a
10 second copy of the original Manuscript was being re-submitted to Defendant 20th
11 Century. A copy of the letter dated July 1, 1985 from Plaintiff's authorized agent to Lora
12 Lee, Story Editor for Defendant 20th Century is attached hereto and marked as Plaintiff's
13 Exhibit "E", and made a part hereof as though fully set forth at length.

14 26. On July 10, 1985, Plaintiff received, by way of Plaintiff's authorized agent,
15 a written communication from Defendant 20th Century, and more particularly, Lora Lee,
16 Story Editor, whereby, Defendant 20th Century acknowledged the receipt of Plaintiff's
17 Manuscript. The written correspondence further stated that [paraphrased] "there was
18 interest from Fox during a previous administration, I regret to inform you that Fox is only
19 allowed to accept submissions from agents who are signatory with the Writer's Guild of
20 America. Unfortunately, we cannot make exceptions." A copy of the letter dated July 10,
21 1985, from Defendant Fox, by way of Lora Lee, Story Editor is attached hereto and
22 marked as Plaintiff's Exhibit "F", and made a part hereof as though fully set forth at
23 length herein.

24 27. In the Summer of 1986, Plaintiff answered an advertisement in a National
25 Magazine, in which **Defendant Larry and Defendant Andy** [brothers] by way of public
26 advertisement, sought screen writers and writing composers of literary works who
27 specifically composed, edited, designed, created and developed screen treatments for
28 science fiction themes, comic books, writings and or manuscripts, whereby Defendants

1 Larry and Andy wanted to convert and transform said science fiction treatment,
2 manuscript, and or screen treatment into the production, publication, and distribution for
3 reproduction, publication and distribution of comic book series.

4 28. Plaintiff, in responding to the national advertisement published by
5 Defendants "Larry" and "Andy", sent all of her copyrighted protected original six page
6 screen treatment, and that of her 45 page original epic science fiction manuscript entitled
7 the Third Eye, including but not limited to the original draft, graphic illustrations,
8 character analysis, synopsis, the making of the Third Eye, to Defendants "Larry" and
9 "Andy". Plaintiff, on information and belief, avers and alleges that Defendants "Larry"
10 and "Andy" had received a full and complete copy of Plaintiff's original six page screen
11 treatment, and that of her 45 page original epic science fiction manuscript entitled the
12 Third Eye, including but not limited to the original draft, graphic illustrations, character
13 analysis, synopsis, the making of the Third Eye, but never responded to Plaintiff.

14 29. Plaintiff, after her delivery of her protected "documents" entitled the "Third
15 Eye", to Defendants "Larry" and "Andy", did not hear from said Defendants concerning
16 her submitted literary and artistic works for years thereafter, when Plaintiff, inadvertently
17 discovered that Defendants "Larry" and "Andy" had first produced a comic book series
18 entitled the "Matrix", based and formulated upon Plaintiff's delivered protected
19 "documents" to said Defendants. A copy of the comic book script of the "Matrix" by
20 Defendants "Larry" and "Andy" is attached hereto and marked as Plaintiff's Exhibits "G"
21 and "H", respectively.

22 30 In and around the year of 1999, Plaintiff discovered that Defendants "Larry"
23 and "Andy" had stated in writing that they were both the writers and directors of the
24 movie motion picture entitled the "**Matrix**" and had further stated in writing that the
25 Defendants "Larry" and "Andy" had hired the professional services of Defendant **Joel**, of
26 Silver Production to produce the movie motion picture. A copy of the Review for Matrix,
27 The (1999) by Ken Price is attached hereto and marked as Plaintiff's Exhibit "I", and
28 made a part herein as though fully set forth at length.

1 31. On May 11, 1999, via information secured from the internet revealed the
2 review of the movie motion picture production entitled "The Matrix", which, inter alia,
3 states the following:

- 4 A. MPAA: Rated R for sci-fi violence and brief language
- 5 B. Runtime: USA: 144 / Australia: 1:36
- 6 C. Country: USA
- 7 D. Language: English
- 8 E. Color: Color (technicolor)
- 9 F. User Comments: Christine Fata, Summary: What is the Matrix...Oh
10 my god, Becky.. "The Matrix (The Wachowski Brothers) Brought to
11 you by the writing/directing/producing brothers who also brought us
12 "Bound" and wrote "Assassins"... . A copy of the movie motion

13 picture review of the Matrix by Christine Fata is attached hereto and marked as Plaintiff's
14 Exhibits "J" and "K", respectively.

15 32. On or about May 18, 1999, in review of Yahoo! Movies [internet source of
16 "movie information", fully identifies the "synopsis" of the movie motion picture
17 production entitled "The Matrix", and more particularly it's characteristic's:

- 18 A. Genre- SciFi, Action;
- 19 B. Rating-R for sci-fi violence and brief language;
- 20 C. Running Time-2 hrs. 30 min
- 21 D. Release Schedule- March 31, 1999, Nationwide
- 22 E. Directed by Andy Wachwski, Larry Wachowski.. Produced by
23 Andrew Mason, Joel Silver. Written by Andy Wachowski, Larry
24 Wachowski. Distributed by Warner Brothers.
- 25 F. Play the Trailer-Real Video... from the Film.com Screening Room.

26 A copy of the Yahoo! Movies is attached hereto and marked as Plaintiff's Exhibit "L"
27 and made a part hereof as though fully set forth at length herein.

28 ///

1 33. Plaintiff is informed and believes that years before the actual distribution for
2 reviewing and purchase by the general public of the movie motion picture, The Matrix,
3 and after Plaintiff had submitted and delivered to Defendants "Larry" and "Andy", her
4 protected original six (6) page screen treatment and add on 45 page Epic Science Fiction
5 Manuscript, entitled the Third Eye, Defendant's "Larry" and "Andy", accepted the
6 delivered copyrighted literary and artistic source works as their own, as if Plaintiff did not
7 exist, and deliberately misrepresented to the general public and that of Plaintiff, as
8 Defendant's "Larry" and "Andy's" own creative literary and artistic source works, and
9 more particularly states: "Although the Wachowski brothers first gained widespread
10 attention and critical accolades when they wrote and directed the dark romantic heist
11 thriller, 'Bound,' they had already written "The Matrix" before they began working on
12 'Bound'. They sent their completed script to producer Joel Silver." A copy of Page 2 of
13 6 pages from internet provider www.atnzone.com/makingthematrix.shtml is attached
14 hereto and marked as Plaintiff's Exhibit "M", and made a part hereof as though fully set
15 forth at length herein. A copy of the cast of The Matrix is attached hereto and marked as
16 Plaintiff's Exhibit "N", and made a part hereof as though fully set forth at length herein.

17 34. On June 28, 1999, Plaintiff, in writing informed Defendants "Larry" and
18 "Andy" of their copyrighted violation and infringement of Plaintiff's source works, and
19 demanded from each of them, her due and earned recognition as the writer, composer,
20 editor, script producer of the underlying production of both the comic book series and that
21 of the movie motion picture production, entitled The Matrix, without success. A copy of
22 the letter dated June 28, 1999, from Plaintiff to Defendants "Larry" and "Andy" is
23 attached hereto and marked as Plaintiff's Exhibit "O", and made a part herein as though
24 fully set forth at length herein.

25 35. On information and belief, Defendants "Larry" and "Andy" [from
26 information obtained from USA Today], re-wrote from Plaintiff's protected documents
27 14 screenplay drafts, supervised about a half-dozen artists who drew story-boards (some
28 500 in all) of every scene to persuade Defendant Warner Brothers' top brass to make the

1 film production of The Matrix. A copy of the publication from USA Today is attached
2 hereto and marked as Plaintiff's Exhibit "P", and made a part hereof as though fully set
3 forth at length herein.

4 36. On information and belief, Defendants "Larry" and "Andy", in lieu of
5 approaching Defendant 20th Century, for the actual making of the movie motion picture
6 production, "The Matrix", Defendants "Larry" and "Andy" knew and or in the exercise of
7 due diligence should have known of the delivery by Plaintiff of Plaintiff's six (6) page
8 screen treatment to Susan Merzbach, Vice President of Creative Affairs for Defendant
9 20th Century, and that of her 45 page Epic Science Fiction Manuscript to Valerie Redd,
10 for David Madden of Defendant 20th Century, thus choosing to entice and convince
11 Defendant **Warner Brothers**, to make and distribute the film for the monetary, financial
12 and reputable benefit of Defendants "Larry" and "Andy", and their own financial and
13 monetary benefit/gain without recognition, screen treatment credit and compensation to
14 Plaintiff.

15 37. On or before April 9, 1999, Plaintiff had caused to be written, a letter to
16 Defendant **Warner Brothers**, legal department, placing said Defendant Warner Brothers
17 on notice of Plaintiff's claims of her literary and artistic work on the creation,
18 development, writing, composing, editing and production of the six (6) page screen
19 treatment and 45 page Epic Science Fiction Manuscript entitled the Third Eye, of which
20 Plaintiff had secure copyrighted protection from the United States Copyright Office, The
21 Library of Congress and of which the movie motion picture entitled The Matrix, stems.
22 A copy of the letter dated April 9, 1999, is attached hereto and marked as Plaintiff's
23 Exhibit "Q", and made a part hereof as though fully set forth at length herein.

24 38. On April 14, 1999, Defendant Warner Brothers, in reply to Plaintiff's
25 written notice for Defendant's violations and infringement, totally disregarding Plaintiff's
26 protected earned recognition and credits therefor, and the lack of compensation to
27 Plaintiff for Defendant's willful, deliberate, intentional and oppressive infringement and
28 violation, of Plaintiff's literary and artistic works requested of Plaintiff for a copy of

1 Plaintiff's book, "Third Eye", among other requested documents, to which Plaintiff
2 complied. A copy of the reply letter to Plaintiff from Defendant Warner Brothers is
3 attached hereto and marked as Plaintiff's Exhibit "R", and made a part hereof as though
4 full set forth at length herein.

5 39. On May 7, 1999, Pamela Kirsh, Vice President and General Counsel,
6 Theatrical for Defendant Warner Brothers, acknowledged receipt of Plaintiff's
7 "documents" for comparison and investigation of copyright infringement by that of the
8 movie motion picture production by Defendant Warner Brothers of "The Matrix". A
9 copy of the letter dated May 7, 1999, is attached hereto and marked as Plaintiff's Exhibit
10 "S", and made a part hereof as though fully set forth at length herein..

11 40 On June 1, 1999, Jeremy N. Williams, Senior Vice President Deputy
12 General Counsel on behalf of Defendant Warner Brothers, forwarded a letter to David G.
13 Turcotte, on behalf of Plaintiff, regarding The Matrix and Plaintiff dispute. The letter of
14 June 1, 1999, simply denies any substantial similarity between the literary and artistic
15 protected works of Plaintiff's and that of the Matrix [inter alia admits some similarity].
16 However, Jeremy N. Williams, admits in said letter the fact that "Regarding your question
17 about the source of The Matrix, the answer is simple. There is no 'source work' in the
18 sense of some underlying work published in another medium..." [a literary or artistic work
19 requires "source work", of which Defendant Warner Brothers admits to lacking and from
20 which Plaintiff alleges source work from her copyrighted literary and artistic work
21 stemmed. A copy of the letter dated June 1, 1999, from Jeremy N. Williams is attached
22 hereto and marked as Plaintiff's Exhibit "T", and made a part hereof as though fully set
23 forth at length herein.

24 41. On February 14, 2001, Plaintiff received a letter from John A. Schulman,
25 Executive Vice President and General Counsel on behalf of Defendant Warner Brothers
26 legal department, whereby Mr. Schulman states in appropriate part: "I appreciate your
27 zeal about Matrix claim. **I invite, again, from you any new or additional evidence you**
28 **have of substantial similarity between your work and the movie The Matrix"**

1 [emphasis added]. A copy of the letter dated February 14, 2001, is attached hereto and
2 marked as Plaintiff's Exhibit "U" and made a part hereof as though full set forth at length
3 herein.

4 42. On information and belief, Plaintiff alleges that according to the article
5 entitled Mr. Showbiz Celebrities: James Cameron Biography, dated May 25, 2001,
6 Defendant **James Cameron** "vowed" that he would never again direct someone else's
7 movie, Cameron concluded that the only thing for him to do was to write a screenplay
8 worthy of his talents. His fever dream bloomed into the script for The Terminator, which
9 Cameron eventually sold to producer Defendant **Gale Hurd** for one dollar and the
10 condition that he be allowed to direct the movie-and direct it his way. A copy of the Mr.
11 Showbiz Celebrities: James Cameron Bio is attached hereto and marked as Plaintiff's
12 Exhibit "V", and made a part hereof as though fully set forth at length herein.

13 43. On information and belief, the movie motion picture The Terminator was
14 produced by the following production companies, to wit: Cinema 84, Euro Film Funding,
15 Defendant **Hemdale Film Corporation**, and Pacific Western Bank; Distributors were
16 Artesan Entertainment [US][Video]; Home Box Office [HBO] Home Video [US][Video],
17 Orion Pictures Corporation [US], Thorne EMI (video), VCL Communications GmbH
18 [de](Germany, video). A copy of company credits for The Terminator is attached hereto
19 and marked as Plaintiff's Exhibit "W", and made a part hereof as though fully set forth at
20 length herein.

21 44. On information and belief, Defendant James Cameron, among others,
22 including Defendant 20th Century, formulated and created Defendant **Hemdale Film**
23 **Corporation** for the exclusive purpose of establishing a "dummy" corporation, in which
24 to funnel [conduit] monetary and financial profits acquired by Defendants James and that
25 of Defendant 20th Century, among others, in order to look and appear as if Defendants
26 James and that of Defendant 20th Century, and that of their corporation, Hemdale Film
27 Corporation, was in the red or negative with respect to net profits for the production,
28 distribution and sell of the movie motion picture production, the Terminator.

1 45. On information and belief, with the intent to deceive creditors of the movie
2 motion picture production entitled The Terminator, Defendant James sold his 50%
3 ownership rights to the movie motion picture production entitled, The Terminator to
4 Defendant Gale Hurd, for the sum of one dollar [\$1.00], [lack of consideration], then,
5 thereafter, turned around and married Defendant Gale Hurd, reacquiring a community
6 property one/half interest in and to the ownership rights to said movie motion picture
7 production, The Terminator in which to avoid and in fraud of creditors.

8 46. On information and belief, Defendant **Hemdale**, intentionally and
9 deliberately filed for bankruptcy relief after Defendant James had transferred, "sold" and
10 or exchanged his 50% ownership rights to the movie motion picture production The
11 Terminator to Defendant Gale, in fraud of creditors, yet, after which, distributed among
12 its officers, directors, producers, composers, writers and its own production companies
13 including Defendants James and that of Defendant Gale, millions of dollars, not listed or
14 reported to the Office of the United States Trustee, Department of Justice, within its prior
15 schedule of assets [11 U.S.C. Section 523]

16 47. On information and belief, Defendant James, Defendant Hemdale, and that
17 of Defendant Gale, conspired between and among themselves, as corporate officers,
18 directors and as husband and wife, to deceive and defraud Plaintiff and to deliberately,
19 intentionally, willfully and oppressively take money and property rights from Plaintiff.

20 48. On information and belief, some twelve (12) years after Defendant James,
21 Gale, 20th Century, and Hemdale, and others wrongfully infringed and violated Plaintiff's
22 protected copyrights to her literary and artistic source works of her six (6) page screen
23 treatment and 45 page Epic Science Fiction Manuscript entitled the Third Eye, by the
24 production, sells and distribution of the movie motion picture production, The
25 Terminator, said Defendants, and each of them, caused the unauthorized production, sell
26 and distribution of the movie motion picture production Terminator II [sequel to The
27 Terminator], knowing that at all times herein mentioned the derivatives and or source
28 works of original The Terminator movie motion picture production stemmed from

1 Plaintiff's original source work.

2 49. On information and belief, the financial backing of the Terminator series
3 movie motion picture production, of Terminator II, was by way of Defendant Warner
4 Brothers, who had prior knowledge of Plaintiff's claims for copyright infringement of the
5 movie motion picture production of The Matrix and the original [first] The Terminator
6 and Sony Corporation's Sony Pictures unit.

7 50. On information and belief, in production currently, is the movie motion
8 picture production, entitled Terminator III, of which those rights to make said movie
9 motion picture production are split between a company in bankruptcy court proceedings
10 [Defendant Hemdale] and the "former" wife of Defendant James Cameron, director of the
11 first two "Terminator" films.

12 51. On information and belief, Defendant Warner Brothers and Sony have
13 contributed a combined \$125 million to the production-not including marketing costs-
14 though neither will wind up owning the picture. Defendant Warner Brothers agreed to
15 pay \$50 million for the United States rights plus about that much in marketing costs to
16 release to the general purchasing public Terminator III, in the summer of 2003.

17 52. On information and belief, Defendant James wrongfully claims and asserts
18 that he, more than 20 years ago, "wrote a 45 page outline for 'The Terminator'", and sold
19 the script to production company Defendant Hemdale. On information and belief it may
20 be true that Defendant James sold the script to Defendant Hemdale, but it is a false and
21 fraudulent assertion and or claim that Defendant James wrote a 45 page outline for The
22 Terminator, of which Plaintiff, on information and belief believes that the 45 page
23 "outline" is in fact her protected 45 page Epic Science Fiction Manuscript. A copy of an
24 Article published in the Wall Street Journal, Friday, March 8, 2002, is attached hereto and
25 marked as Plaintiff's Exhibit "X" and made a part hereof as though fully set forth at
26 length herein.

27 ///

28 ///

1 **PLAINTIFF'S FIRST, SEPARATE AND DISTINCT CLAIM FOR RELIEF**
2 **FOR COPYRIGHT INFRINGEMENT OF SIX PAGE SCREEN**
3 **TREATMENT AND 45 PAGE EPIC SCIENCE FICTION MANUSCRIPT,**
4 **PENDENT CLAIM FOR UNFAIR COMPETITION AS AGAINST ALL NAMED**
5 **DEFENDANTS**

6 53. Plaintiff here realleges Paragraphs 1 through 52, inclusive, of this Complaint

7 54. This action is brought under the federal Copyright Act of 1976, as amended,
8 17 USC §§ 101 et seq. This Court has jurisdiction pursuant to Sections 1338(a) and
9 1338(b) of the Judicial Code (28 USC §§ 1338(a) and 1338(b). Venue is conferred by
10 Sections 1391(c) and 1400(a) of the Judicial Code (28 USC §§ 1391(c), 1400(a).

11 55. Prior to the scheduled release date of March 31, 1999 [The Matrix]
12 [Defendants Andy Wachowski, Larry Wachowski, Joel Silver and Warner Brothers; and
13 on information and belief the year of 1984 [The Terminator] and on information and
14 belief, the year of 2000 [Terminator II] [Defendants James Cameron, Gale Hurd,
15 Hemdale Films and 20th Century Fox Productions], Plaintiff, who then was and ever since
16 has been a citizen of the United States and resident of Salt Lake City, Utah, created,
17 wrote, edited, developed and established a six (6) page screen treatment and add on 45
18 page Epic Science Fiction Manuscript, entitled "The Third Eye".

19 56. Plaintiff's above-referenced six (6) page screen treatment and add on 45
20 page Epic Science Fiction Manuscript contains a substantial amount of material created
21 by Plaintiff's own skill, labor and judgment, and is copyright-able subject matter under
22 the laws of the United States.

23 57. Between 1983 and 1984, Plaintiff complied in all respects with the United
24 States Copyright Act of 1976 and all other laws governing copyright, by applying for
25 copyright registration on February 02, 1983 [Remittance Number 118848], and again on
26 February 6, 1984 [Remittance Number 117024], making the required deposit, and
27 receiving from the Register of Copyrights a Certificate of Registration Numbers Txu 117-
28 610, effective February 2, 1983 and Txu 154-281, effective February 6, 1984, a copy of

1 which is attached to the Complaint as Exhibit "A" and "B", respectively and incorporated
2 by this reference. Publication and distribution was made with notice in strict and full
3 compliance with the federal Copyright Act of 1976.

4 58. Since the February 2, 1983, and February 6, 1984, [dates of registrations],
5 Plaintiff has been and still is the sole proprietor of all right, title and interest in and to the
6 copyright in such six (6) page screen treatment and 45 page Epic Science Manuscript.

7 59. After February 2, 1983, and during the year of 1984, Defendants James
8 Cameron, Gale Hurd, Hemdale Films, and 20th Century Fox Productions infringed the
9 above-mentioned copyright by publishing, producing, creating, distributing, re-producing,
10 republishing, recreating and placing on the open market, by way of movie motion
11 pictures, video recordings, electronic and or magnetic tapes, soundtracks, movie made for
12 television, both domestic and international, world-wide, entitled The Terminator,
13 Terminator II. On information and belief, said Defendant are in production, distribution
14 and placing on the open market a sequel movie motion picture production [June, 2003],
15 entitled Terminator III [T-3], which was copied largely from Plaintiff's copyrighted six
16 (6) page screen treatment and add on 45 page Epic Science Fiction Manuscript, entitled
17 the Third Eye.

18 60. After February 2, 1983, and during the year of 1984, Defendants Andy
19 Wachowski, Larry Wachowski, Joel Silver and Warner Brothers, infringed the above-
20 mentioned copyright by publishing, republishing, producing, reproducing, creating,
21 recreating, distributing and redistribution and placing on the open market, a movie motion
22 picture production, video recording and electronic and or magnetic tape(s), entitled The
23 Matrix and a series of comic books which are based upon Plaintiff's copyrighted material,
24 also called the Matrix. On information and belief, said Defendant are in production,
25 distribution and placing on the open market a sequel movie motion picture production,
26 entitled The Matrix II, which was copied largely from Plaintiff's copyrighted six (6) page
27 screen treatment and add on 45 page Epic Science Fiction Manuscript, entitled the Third
28 Eye.

1 61. A copy of Plaintiff's copyrighted six (6) page screen treatment and add on
2 45 page Epic Science Fiction Manuscript is attached hereto as Exhibit "Y"; by reason of
3 Defendants infringing voluminous bulk and publication method of their movie motion
4 picture productions of the Terminator, Terminator II and now Terminator III [T-3] and
5 that of the Matrix, video tapes and or recordings and or electronic and or magnetic tape
6 reproductions it is impractical to attach copies hereto as exhibits, but copies of the movie
7 motion picture productions, video tapes and electronic and or magnetic recordings will be
8 made available and exhibited to the Court at all appropriate proceedings.

9 62. Plaintiff has notified Defendants, and each of them, in writing and orally on
10 numerous occasions that Defendants have infringed and continue to infringe upon
11 Plaintiff's copyrights, and Defendants still and continue to so infringe upon the copyright.

12 63. After the date of 1984 [The Terminator], 1999 [The Matrix], 2000
13 [Terminator II], and 2003,[Terminator III (T-3), and continuously since those dates,
14 Defendants, and each of them have been publishing, republishing, printing, reprinting,
15 selling and distributing and otherwise marketing the movie motion picture productions
16 and comic book series entitled, Terminator, Terminator II, Terminator III [T-3] and the
17 Matrix, and have thereby been engaged in unfair trade practices and unfair competition
18 against Plaintiff to Plaintiff's irreparable damage, which cannot be adequately calculated
19 or compensated in money damages.

20 64. There is a substantial likelihood that Plaintiff will succeed on the merits of
21 this action.

22 //////////////

23 //////////////

24 //////////////

25 //////////

26 ////

27 ///

28 ///

1 **PLAINTIFF'S SECOND, SEPARATE AND DISTINCT CLAIM FOR RELIEF**
2 **FOR VIOLATION OF RACKETEER INFLUENCE CORRUPT**
3 **ORGANIZATION ACT [R.I.C.O.] AS AGAINST DEFENDANTS**
4 **LARRY WACHOWSKIS AND ANDY WACHOWSKIS**

5
6 **In or About The Summer of 1986, The Scheme Begins:**
7 **Defendants Larry Wachowskis and Andy Wachowskis Solicit Requests**
8 **From The General Public Screen Treatments For Science Fiction Themes, Comic**
9 **Books, Writings and or Manuscripts**

10
11 65. Plaintiff herein realleges Paragraphs 1 through 64, inclusive, of this
12 Complaint.

13 66. In or about the Summer of 1986, Defendants Larry Wachowskis and Andy
14 Wachowski [hereinafter "Defendants"] formulated a plan, scheme and design to obtain
15 and acquire other persons work's of "art" [Screen Treatments], including Plaintiff's
16 copyrighted "work of art", specifically tailored, created and generated of science fiction
17 themes, whereby Defendants planned to convert and transform the acquired science
18 fiction treatment, manuscript, and or screen treatment into the production, publication and
19 distribution for reproduction, publication and distribution of science fiction comic books
20 and following series..

21 67. In response to Defendants national advertisement and requests for screen
22 treatments of science fiction themes, Plaintiff, by way of utilizing the United States Postal
23 Service, United States Mail Delivery Service, [return receipt requested], specifically
24 requested the United States Postal Service to deliver a copy of Plaintiff's entire
25 copyrighted screen treatment and that of her 45 page original epic science fiction
26 manuscript entitled the Third Eye, including copies of Plaintiff's original draft, graphic
27 illustrations, character analysis, synopsis and the making of the Third Eye.

28 68. Although Plaintiff had received confirmation from the United States Postal

1 Service of delivery of Plaintiff's entire copyrighted works of art, to Defendants, Plaintiff
2 did not receive a "personal" return communication from Defendants as to whether or not
3 Defendants would utilize Plaintiff's copyrighted works in their endeavor to publish and
4 distribute science fiction comic books and comic book series.

5 69. For several years thereafter, Plaintiff continued to perfect other literary
6 works of art and continued with her profession as a screen and epic writer of science
7 fiction themes.

8 70. During those years, Plaintiff did not receive information directly
9 Defendant Wachowski brothers that Defendants had in fact received the copy of
10 Plaintiff's 45 page epic science fiction manuscript, six page screen treatment, draft,
11 graphic illustrations character analysis, synopsis and the making of the Third Eye [all
12 copyrighted].

13 71. Plaintiff was further uninformed and not notified by the Wachowski
14 Brothers that Defendants, during those years, were utilizing each and every copyrighted
15 material and or material parts and components thereof, copyrighted to Plaintiff in the
16 redevelopment, redesign, recreation and making of science fiction comic books and
17 comic book series containing Plaintiff's protected copyrighted works of art, for the
18 expressed purpose of "publication, dissemination and distribution" to the general public
19 for profit.

20 72. Defendants, after completion of their "comic books" and "comic book
21 series", utilized not only the United States Postal Service, United States Mail Delivery
22 Service, for delivery, distribution and dissemination of their completed comic books and
23 comic book series, but also utilized telephone and wire services [Interstate Commerce] to
24 effect such distribution, dissemination and production. Credits, as published in each and
25 every comic book and comic book series disseminated, published and distributed to the
26 general public were given and noted solely to Defendants, whereby Defendants failed to
27 acknowledge and or give published notice of Plaintiff's literary copyrighted work.

28 ///

**The Scheme, After Maturity, Begins to Develop And Realize Monetary
Profits and Notoriety**

1
2
3 73. In and around the year of 1999, Plaintiff first discovered that Defendants
4 were wrongfully disseminating, distributing, advertising, promoting, producing, selling
5 and displaying to the general public by means of Interstate Commerce, comic books and
6 comic book series entitled "The Matrix" which, inter alia contained demonstrably
7 material reference and significant material parts, language, description, graphic
8 illustrations and character analysis to that of Plaintiff's copyrighted literary works,
9 without the permission, consent and or authorization of Plaintiff.

10 74. On or about May, 1999, Plaintiff discovered from browsing the Internet
11 that Defendants, in addition to distribution, dissemination, production and selling of
12 science fiction comic books and comic book series under the "title" of "The Matrix",
13 infringing upon Plaintiff's copyrighted literary work, also produced, developed, created
14 and drafted from such identified science fiction comic books and comic book series, a
15 movie motion picture entitled "The Matrix", containing the same and identical
16 copyrighted material references and material component parts, graphic illustrations,
17 character analysis and themes as used within their comic books and comic book series
18 entitled "The Matrix" that all stemmed and were part of Plaintiff's protected, copyrighted
19 literary work.

20 75. The scheme carefully planned and designed by Defendants was in
21 principal and for the specific purpose of obtaining from unknown science fiction screen
22 writers and screen treatment writers, science fiction screen treatments, science fiction
23 manuscripts and other similar literary works from screen writers and thereafter, from
24 those chosen literary works, by Defendants, deliberately misrepresented and or
25 deliberately omitted to represent the true author/writer of the chosen literary science
26 fiction screen treatment and science fiction manuscript, character analysis, graphic
27 illustrations, and the making of The Third Eye, as their own, in order to not only falsely
28 "bolster" their reputation in the industry, but also to make substantial monetary profits

1 therefrom; without demonstrably causing appropriate recognition to the original creator
2 and or offering to provide the originator of the science fiction treatment monetary
3 compensation; all wrongful activity, conduct and performance was by means of the use of
4 Interstate Commerce and to derive an illegal substantial monetary profit from their
5 unlawful scheme.

6 76. By operation of Defendants carefully planned scheme, Defendants
7 obtained millions of dollars from the net proceeds of the sale, distribution and
8 dissemination, display, productions, rentals, and lease of the science fiction comic books
9 and comic book series entitled "The Matrix" and obtained, acquired and received millions
10 of dollars not only from such wrongful activity, conduct and omissions but acquired,
11 obtained and received millions of dollars from the sells, distributions, disseminations,
12 rentals, and lease of the movie motion picture entitled, "The Matrix", as well as
13 receiving, acquiring and obtaining millions of dollars in profit from royalties, movie
14 motion picture sales [video and D.V.D], sound and record devices [tape and electronic
15 record production], and world wide production.

16 77. Each individual sale of the science fiction comic book and comic book
17 series and each showing, distribution, dissemination, sale, rental, lease, and syndication,
18 among other appropriate display of the movie motion picture, entitled "The Matrix"
19 constitutes an independent violation of Plaintiff's copyright privilege.

20 78. Plaintiff, because of the enormous extent of world wide distribution,
21 dissemination, sells, rental, lease and syndication of the movie motion picture and
22 memorabilia(s) from the movie motion picture "The Matrix". Plaintiff is unable to
23 define each and every date of violation, but can only surmise that from and after the
24 release of both the offending comic books, comic book series and the movie motion
25 pictures for viewing, purchase, sales and production by Defendants, such violations were
26 had occurring on a daily basis and Defendants continue to be in violation of Plaintiff's
27 rights and protection.

28 79. From and after the receipt by Defendants of Plaintiff's literary copyright

1 work, supra, and in conformity with their carefully planned scheme and design, supra,
2 Defendants have made millions and millions of dollars all stemming from Plaintiff's hard
3 earned recognition re: copyrighted literary work.

4 80. Defendants deliberate fraud and deceit on Plaintiff is more fully described
5 within the news and promotion articles contained within USA Today Search and other
6 appropriate magazines, newspapers and reports. Such fraud and deceit is further
7 "published" on the Internet [Interstate Commerce]

8
9 **Defendants Deliberately Thwart Plaintiff's Demands For Recognition of Her**
10 **Copyrighted Material and Defendant's Further Ignore Plaintiff's Repeated**
11 **Demands To Cease and Desist From Their Continued**
12 **Misappropriation of Plaintiff's Copyrighted Literary Work**

13 81. Plaintiff herein realleges Paragraphs 1 through 64, 66 through 78, inclusive,
14 of this Complaint.

15 82. On information Defendants had actual knowledge and information effecting
16 and concerning Plaintiff's copyrighted materials and screen treatment, by way of
17 Plaintiff's delivery to Defendant's per Defendant's published request.

18 83. On information Defendants at the time of their receipt of Plaintiff's
19 copyrighted materials and screen treatment had the specific intent to use Plaintiff's
20 copyrighted materials and screen treatment as their. Defendants were had prior
21 knowledge and information that copyrighted literary works could not be used and utilized
22 as their own without the expressed written consent, permission and authorization from the
23 copyright holder, Plaintiff herein. but in using and utilizing Plaintiff's 45 page epic
24 manuscript, screen treatment, character analysis, graphic illustrations and the making of
25 the Third Eye, Defendants intentionally chose to ignore copyright laws and Plaintiff's
26 copyrighted literary works in the production, of both the comic books, comic book series
27 and the making of the movie motion picture, the "Matrix" and follow-up memorabilia.

28 84. Plaintiff attempted to mitigate damages by demanding of Defendants, in

1 writing, that they immediately cease and desist from the continuation of use and
2 utilization of Plaintiff's copyrighted literary works, themes, ideas, screen treatment, 45
3 page epic manuscript, but such written and oral demands had fallen upon deaf ears.

4
5 **Defendants Larry Wachowski and Andy Wachowski Knew or Should Have**
6 **Known That Plaintiff's Literary Works Delivered to Them Were Copyrighted**

7 85. Defendant's were in the literary and or artistic business of comic book
8 producers.

9 86. Defendants advertised in a national magazine or newspaper for persons to
10 send to them science fiction screen treatments, science fiction manuscripts and related
11 science fiction themes.

12 87. Defendants had the prior intent to acquire and obtain science fiction screen
13 treatments, science fiction manuscripts and related science fiction themes from the
14 general public in which to and from such submitted and delivered science fiction screen
15 treatments, science fiction manuscripts and related themes, would create a more viable
16 science fiction comic book and comic book series based upon Defendant's "chosen"
17 [from submitted/delivered] science fiction screen treatments, science fiction manuscripts
18 and related science fiction themes. Defendant had their employees, officers and agents
19 immediately begin to use and utilize Plaintiff's copyrighted literary works as their own.

20 88. Defendants did in fact receive from Plaintiff, per Defendants published
21 request, a copy of Plaintiff's copyrighted 6 page science fiction screen treatment, science
22 fiction 45 page epic manuscript, graphic illustrations, character analysis and the making
23 of the Third Eye to their own monetary advantage and reputation in their occupational/
24 professional artistic field.

25 89. Plaintiff, after first discovering Defendant's illegal use and utilization of
26 Plaintiff's copyrighted literary works, gave written and oral notice to Defendants to
27 immediately cease and desist from their continued unauthorized use and utilization.

28 90. Despite such verbal and written demands to cease and desist from

1 Defendants continued unauthorized use and utilization of copyrighted materials of
2 Plaintiff, Defendant still continue to use and utilize such copyrighted literary works.

3 91. Such continued unauthorized use and utilization of Plaintiff's copyrighted
4 literary works is tantamount to a continuing fraud and violation of Plaintiff's earned
5 copyrights.

6
7 **Defendants Continue To Hide Net Profits And Earned Contribution From**
8 **Plaintiff**

9 92. Defendants, from the use and utilization of Plaintiff's copyrighted 6 page
10 science fiction screen treatment, 45 page epic science fiction manuscript, graphic
11 illustrations, character analysis, and the making of the Third Eye have generated millions,
12 and millions of dollars for Defendants and have gain them enormous public and personal
13 recognition as science fiction comic and movie motion picture producers, directors and
14 "writers", when in truth and in fact all underlying resources, ideas, creativity and thoughts
15 for the overall production of science fiction comic books, science fiction comic book
16 series and movie motion pictures were that of Plaintiff and Plaintiff's copyrighted
17 materials.

18 93. Defendants continue to receive millions and millions of dollars in the
19 display, release, re-release, syndication, distribution, sales, rentals and lease of such
20 science fiction productions, including but not limited to royalties stemming therefrom.

21 94. Defendants has neither caused any recognition to Plaintiff as the original
22 "writer" of the science fiction comic books, the comic book series and the movie motion
23 picture entitled the "Matrix", nor has Defendants monetary compensated Plaintiff for the
24 use and utilization of Plaintiff's copyrighted literary works, supra.

25 95. Defendants have hided from Plaintiff their ill gotten gain at Plaintiff's
26 expense.

27 ////.

28 ///

1 **Defendants Larry Wachowski and Andy Wachoski Have Conspired to**
2 **Defraud Plaintiff**

3 96. Plaintiff discovered that Defendants Larry Wachowski and Andy
4 Wachowski individually and as part of their company, conspired to hire and employ
5 Defendant Joel Silver to direct the production of the movie motion picture, the "Matrix",
6 after Plaintiff had, in writing, notified Defendant Joel Silver of Silver Productions, that
7 the underlying basis for the "science fiction theme" entitled the "Matrix", stemmed from
8 material parts, material references of Plaintiff's copyrighted 6 page science screen
9 treatment, 45 page epic manuscript, graphic illustrations, character analysis and the
10 making of the "Third Eye", years before Defendants Larry Wachowski and Andy
11 Wachowski first presented their "revised" "edition" to Defendant Joel Silver.

12 97. Despite such notification that the "script" being used by Defendant Joel
13 Silver was and stemmed from unauthorized copyrighted literary works of Plaintiff,
14 Defendants Joel Silver, Andy Wachowski and Larry Wachowski under their company
15 enterprise continued to produce and direct the movie motion picture entitled the "Matrix".

16
17 **Defendants James Cameron, Gale Hurd and Hemdale Films Scheme Was**
18 **Similar to the Scheme of Defendants Larry Wachowskis and Andy Wachowskis**
19 **In the Production of The Movie Motion Pictures Terminator, Terminator II**

20 98. On information, Defendants James Cameron, Gale Hurd and Hemdale
21 Fims, all participated in a plan, scheme and design to defraud Plaintiff of her copyrighted
22 artistic literary works and defraud her of the recognition of achievement and notoriety to
23 which she had earned throughout her career, to the monetary and acclaimed recognition
24 benefits of Defendants James Cameron, Gale Hurd and Hemdale Films.

25 99. On information Defendants James Cameron, Gale Hurd conspired to create
26 and incorporate a fictitious business entity known as Hemdale Films. Hemdale Films is,
27 and at all times herein mentioned was, a mere shell [straw company] in which to house
28 the enormous monetary profits received by Defendant James Cameron and Gale Hurd

1 from the production of the movie motion pictures Terminator and Terminator II, and
2 deceive not only the governmental taxing authority, from the enormous monetary profits
3 acquired and received by said Defendants, but also hiding same from Plaintiff.

4 100. Both movie motion pictures films were solely based upon the character
5 analysis, graphic illustrations and the making of the "Third Eye", together with the 6-page
6 screen treatment and 45 page epic manuscript copyrighted by Plaintiff.

7 101. Investigation as to "criminal charges" for piracy of copyrighted materials
8 and theft filed by Plaintiff as against said Defendants, disclosed within the investigation
9 by the Federal Bureau of Investigation [F.B.I.] that the two (2) movie motion pictures,
10 Terminator, Terminator II had exact portions of character analysis, graphic illustrations
11 and language utilized by Plaintiff's protected copyrighted literary works without
12 modification, change or deletions.

13 102. Defendant James Cameron, individually and as then part of Defendant 20th
14 Century Fox Productions, together with his "dummy" corporation, Defendant Hemdale
15 Films, like Defendants Larry Wachowski and Andy Wachoski received Plaintiff's
16 copyrighted materials, graphic illustrations, character analysis and the making of the
17 Third Eye, with 6 page screen treatment and 45 epic manuscript years before the
18 production of the movie motion pictures, Terminator, Terminator II..

19 103. Like Defendants Larry Wachowski and Andy Wachowski., Defendant
20 James Cameron and his company, Hemdale Films, with that of his officers, employees
21 and agents used and utilized Plaintiff's copyrighted literary works as their own, without
22 monetary compensation and without public recognition.

23 104. Like Defendants Larry Wachowski and Andy Wachowski., Defendant
24 James Cameron, Hemdale Films, Gale Hurd, and their employees, agents and officers
25 made millions and millions of dollars from Plaintiff's copyrighted literary works.

26 105. The use and utilization of Plaintiff's copyrighted literary works by
27 Defendant James Cameron and Defendant Gale Hurd was without the expressed and or
28 implied permission, consent or authorization by Plaintiff.

**Plaintiff Sophia Stewart Sustained/Suffered Massive Damages From the
From The Unauthorized Use and Utilization of Her Copyrighted Literary Works.**

106. There is no doubt that Defendants, and each of them had made, acquired and obtained millions, millions and millions of monetary profit from the unauthorized use and utilization of Plaintiff's copyrighted works, including her 6 page screen treatment, 45 epic manuscript, character analysis, graphic illustrations and the making of the science fiction the "Third Eye", and continued capacity to earn millions of dollars from syndication and royalties generated therefrom, including memorabilia, all originally stemming from Plaintiff's creativity and ideas.

COUNT ONE-RICO VIOLATION

107. Plaintiff repeats and realleges Paragraphs 1 through 64, Paragraphs 66 through 106 of this Complaint as if fully alleged herein.

108. Plaintiff is a "person" within the meaning of 18 U.S.C. §§ 1961(3) and 1964(c).

109. Larry Wachowski, Andy Wachowski, James Cameron, Gale Hurd, Joel Silver, Hemdale Films, 20th Century Fox Productions, Warner Brothers, and their officers, agents and employees are persons within the meaning of 18 U.S.C. §§ 1961(3)(4) and 1962 (a)-(d)

110. Defendants Larry Wachowski, Andy Wachowski, James Cameron, Gale Hurd, 20th Century Fox Productions, Warner Brothers, and Joel Silver of Silver Productions, and their employees, agents and officers were a group of persons associated together in fact for the common purpose of carrying out the fraudulent scheme described in this Complaint; namely, obtaining copyrighted literary/artistic works from Plaintiff, among others, and representing to the public that of their own ideas, creations, resources and to perpetuate, their unauthorized plan and design for years after the making of science fiction comic books, comic book series, the movie motion pictures, the "Matrix", Terminator, Terminator II. As a result, Defendants Larry Wachowski, Andy

1 Wachowski ; James Cameron, Gale Hurd, 20th Century Fox Productions, Warner
2 Brothers, Joel Silver, Hemdale Films, named in this Complaint and their agents,
3 employees and officers constitute an association-in-fact enterprise within the meaning of
4 18 U.S.C. §§ 1961(4) and 1962(a)-(d) [The "Science Fiction Secret Screen Treatment/
5 Science Fiction Copyright Enterprise]. During all relevant times, these Enterprises were
6 engaged in, and their activities affected by, interstate and foreign commerce.

7 111. In violation of 18 U.S.C. § 1962(a)-(d), Defendants conducted and or
8 participated in the conduct of the Enterprises' affairs, directly or indirectly, through a
9 pattern of racketeering activity. Defendants Larry Wachowski and Andy Wachowski
10 participated in seeking through public national magazines, newspapers literary works
11 specifically designed for science fiction screen treatments, science fiction manuscripts
12 created, designed by others, including that of Plaintiff and obtaining through public
13 advertisement such literary/artistic works and presenting same as their own, without
14 recognition or monetary compensation to the true author. In the matter at bench,
15 Defendants Larry Wachowski and Andy Wachowski obtained Plaintiff's copyrighted
16 literary/artistic work and presented such obtained/acquired copyrighted work and
17 disguised it as their own, without authorization from Plaintiff. Likewise, Defendants
18 James Cameron, Gale Hurd, Hemdale Films, by and through their authorized agents,
19 employees and officers of Defendants Warner Brothers and 20th Century Fox Productions
20 in violation of 18 U.S.C. § 1962(a)-(d), Defendants conducted and or participated in the
21 conduct of the Enterprises' affairs, directly or indirectly, through a pattern of racketeering
22 activity, obtained Plaintiff's copyrighted literary/artistic work and presented such
23 obtained/acquired copyrighted work and disguised it as their own, without authorization
24 from Plaintiff.

25 112. Defendants participated in the Science Fiction Screen Treatment/Science
26 Fiction Epic Manuscript Enterprise through these same actions, also by obtaining
27 Plaintiff's copyrighted materials under false pretenses.

28 113. The pattern of racketeering activity consisted of Defendants aiding and

1 abetting the commission of countless acts of mail and or wire fraud, in violation of 18
2 U.S.C. §§ 2, 1341 and 1343. Specifically, Defendants Larry Wachowski, Andy
3 Wachowski, James Cameron, Gale Hurd, Warner Brothers, 20th Century Fox
4 Productions, Hemdale Films, and their employees, agents, officers engaged in a scheme
5 or artifice to defraud or to fraudulently obtain literary copyrighted property, ultimately
6 obtaining money therefrom Plaintiff by means of false or fraudulent pretenses,
7 representations, or promises that Defendants were producing such copyrighted materials
8 within their authority, rather than obtaining such literary work [copyrighted materials]
9 outside their authority.

10 114. To execute this scheme or artifice, Defendants Larry Wachowski, Andy
11 Wachowski, James Cameron, Joel Silver, Gale Hurd, Hemdale Films, 20th Century Fox
12 Productions, Warner Brothers transmitted, or caused to be transmitted by means of wire
13 communications in interstate or foreign commerce, and also caused matters and things to
14 be placed in any post office or authorized depository, or deposited or caused to be
15 deposited the following matters or things to be sent or delivered by private or commercial
16 interstate carrier (the "mailings"):

- 17 (A) Wirings and or mailings of Plaintiff's 6 page screen treatment, between Los
18 Angeles and various cities, and states;
- 19 (B) Wirings and or mailings of Plaintiff's 45 page epic manuscript, between
20 Los Angeles and various cities and states and to various people and movie
21 motion picture production companies, including Warner Brothers and to
22 Defendant Joel Silver;
- 23 (C) Wirings and or mailings of Plaintiff's graphic illustrations, character
24 analysis, and the making of the Third Eye between Los Angeles and various
25 cities and states and to various people and movie motion picture production
26 companies, including Warner Brothers and to Defendant Joel Silver;
- 27 (D) The funds transfers by wire between and among several banks located both
28 within the state, and different states and foreign countries;

- 1 (E) The secret correspondence between Defendants and each of them;
- 2 (F) Additional mailings and or wiring between Plaintiff and each named
- 3 Defendant from Utah to California.

4 115. Each Defendant participated in the scheme or artifice knowingly, willfully,
 5 and with the specific intent to defraud Plaintiff into releasing copies of her copyrighted
 6 literary/artistic works, including her 6 page screen treatment, 45 page epic manuscript,
 7 graphic illustrations, character analysis and the making of the Third Eye.

8 116. These acts of mail and wire fraud constituted a pattern of racketeering
 9 activity as that term is defined in 18 U.S.C. § 1961(5). Each act of mail or wire fraud
 10 was executed by the same participants (20th Century Fox Productions, Warner Brothers,
 11 Larry Wachowski , Andy Wachowski , Joel Silver, Gale Hurd, Hemdale Films, their
 12 agents, employees and officers], by the same method (misrepresentations that each of
 13 them were either authorized by Plaintiff and or that each were the originator of the basic
 14 underlying idea). Finally, as a result of each act of mail or wire fraud, the same victim
 15 (Plaintiff) suffered the same damage (no monetary compensation for her copyrighted
 16 literary / artistic work and no recognition as to the originator of the underlying idea or
 17 theme).

18 117. As a direct and proximate cause of Defendant's acts of mail and wire
 19 fraud, and its violation of 18 U.S.C. § 1962(a)-(d), Plaintiff has been injured in her
 20 business or property right within the meaning of 18 U.S.C. § 1964(c), in that Plaintiff has
 21 lost literary/artistic recognition as the originator of the screen treatment, 45 page epic
 22 manuscript, graphic illustrations, character analysis and the making of the Third Eye; and
 23 has further been monetary damaged in the sum in excess of \$200,000,000 dollars in lost
 24 revenue, profits and royalties and has suffered consequential damages from unauthorized
 25 use and utilization of her copyrighted literary/artistic work.

26 /////

27 /////


28 ////

WHEREFORE, Plaintiff prays for judgment against defendants for:

- (A) compensatory damages in an amount not now known, but believed to be in excess of \$200,000, 000 [200 hundred million], trebled pursuant to R.I.C.O.
- (B) punitive damages in an amount to be determined at time of trial;
- (C) Her costs, fees, and other expenses, including attorneys' fees, pursuant to 18 U.S.C. § 1964(c);
- (D) compensatory damages for violation of copyright laws in an amount not now known, but believed to be in excess of \$200,000, 000 [200 hundred million];
- (E) punitive damages in an amount to be determined at time of trial;
- (F) Her costs, fees, and other expenses, including attorneys' fees
- (G) For such other and further relief as may be just and proper.

Dated: April 16, 2003

State of Utah



 Sophia Stewart
 P.O. Box 165153
 Salt Lake City, Utah
 Telephone: (801) 220-0588

CERTIFICATE OF COPYRIGHT REGISTRATION



This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

David Reed
 REGISTER OF COPYRIGHTS
 United States of America

FORM TX
 UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER
 TXu 117-610

EFFECTIVE DATE OF REGISTRATION
 TXU
 Feb 2 1983
 Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

THIRD EYE

PREVIOUS OR ALTERNATIVE TITLES

NONE

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. **Title of Collective Work**

NONE

If published in a periodical or serial give: Volume Number Issue Date On Pages
NONE

NAME OF AUTHOR

a Sofia Stewart

DATES OF BIRTH AND DEATH
 Year Born Year Died

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
 Name of Country *United States*
 OR Citizen of *United States*
 Domiciled in *United States*

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

Original treatment for motion picture - Entitled to...

NAME OF AUTHOR

b (STORY)

DATES OF BIRTH AND DEATH
 Year Born Year Died

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
 Name of country
 OR Citizen of
 Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

c

DATES OF BIRTH AND DEATH
 Year Born Year Died

Was this contribution to the work a "work made for hire"?
 Yes
 No

AUTHOR'S NATIONALITY OR DOMICILE
 Name of Country
 OR Citizen of
 Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This information must be given in all cases.

MAY 1, 1981 Year

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published. Month Day Year Nation

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

*Sofia Stewart
 3353 20th Independence St. Apt 145
 Brown, NY - 10463*

APPLICATION RECEIVED
 02 FEB 1983
 ONE DEPOSIT RECEIVED
 02 FEB 1983
 TWO DEPOSITS RECEIVED

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

A

REMITTANCE NUMBER AND DATE
 118848 FEB 2003

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM TX

UNITED STATES COPYRIGHT OFFICE



This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

REGISTRATION NUMBER

TXU 154-281

Third Road

REGISTER OF COPYRIGHTS United States of America

EFFECTIVE DATE OF REGISTRATION TX TXU 2 6 84 Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

THIRD EYE (Add-on Manuscript)

PREVIOUS OR ALTERNATIVE TITLES

THIRD EYE (Treatment) 6 pgs.

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume Number Issue Date On Pages

NAME OF AUTHOR

Sofia M. Stewart (Lenia Kavala Pseudonym)

DATES OF BIRTH AND DEATH Year Born Year Died

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE Name of Country United States Citizen of Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymously? Pseudonymously? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

ENTIRE TEXT

NAME OF AUTHOR

DATES OF BIRTH AND DEATH Year Born Year Died

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE Name of Country Citizen of Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymously? Pseudonymously? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH Year Born Year Died

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE Name of Country Citizen of Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymously? Pseudonymously? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 1983

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

Sofia Stewart 3353 Fort Independence St Buerdale, N.Y. 10463

APPLICATION RECEIVED 05 FEB 1994 ONE DEPOSIT RECEIVED 11/28/93 TWO DEPOSITS RECEIVED REMITTANCE NUMBER AND DATE 117024 FEB 694

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

B



Columbia Pictures Industries, Inc.

Richard Berres
Vice President
Director of Music

June 8, 1981

Sofia Stewart Productions
256 South Robertson Blvd.
Suite 8180
Beverly Hills, CA 90211

Dear Sofia,

Sorry for the delayed response -- have been in New York.
In looking closely at your outline, let me first say that
I'm not an expert whatsoever in determining what's commercially
viable for the networks. However, I will give you a personal
viewpoint and say that while your outline is interesting to
read, I believe that it is not "commercially viable".

In any event -- best wishes and good luck!

Cordially,

Dick Berres

DB:ds

Ester Duffie, Agent
(915) 949-9208
2009 Raney
San Angelo, Texas 76901
Suite 96

3353 Ft. Independence Street
Riverdale, New York 10463
Suite 14S

August 18, 1984

Valrie Redd
David Madden Office
Twentieth Century-Fox Productions
Box 900
Beverly Hill, CA 90213

Re: Third Eye by Sofia Stewart-Manuscript

Dear Valrie,

Pursuant to your telephone conversation several months ago with Sofia Stewart,
I am enclosing the above-referenced material for your consideration.

Sincerely,

Ester Duffie

ED/jb

Enclosure

D

Verona Russell-Scales, Agent
(718) 287-8347
3353 Ft. Independence Street
Riverdale, New York 10463
Suite 14S

July 1, 1985

Lora Lee, Story Editor
Twentieth Century-Fox Productions
Box 900
Beverly Hill, CA 90213

Re: Third Eye by Sofia Stewart-Manuscript

Dear Ms. Lee:

In June 1981 Susan Merzbach read these six pages of a science fiction treatment entitle "Third Eye" and liked what she had read ... so much in fact, that she personally called up my client to see if there were anything more written about the subject. Unfortunately at the time my client was busy working on the manuscript of her book which wasn't completed until the winter of 83.

After it's completion, she received a second phone call from Twentieth Century-Fox but this time from a David Madden's Office via Valrie Redd etc. requesting the finished product.

I submitted the manuscript on the behalf of my client August 23, 1984 (Register; Return Receipt), but never received a formal acknowledgment of receipt!

As per conversation on June 17, 1985, between my client and the secretary (Vivian) in your office I am re-submitting this manuscript for your consideration.

Sincerely,

Verona Russell-Scales
Agent

VR-S/jb

Enclosure



TWENTIETH CENTURY FOX FILM CORPORATION



July 10, 1985

Verona Russell-Scales
3353 Ft. Independence Street, Suite 14S
Riverdale, NY 10463

Dear Ms. Russell-Scales,

Thank you for your submission entitled, Third Eye, which I am returning.

While I understand that there was interest from Fox during a previous administration, I regret to inform you that Fox now is only allowed to accept submissions from agents who are signatory with the Writer's Guild of America. Unfortunately, we cannot make exceptions.

Thank you, however, for thinking of Fox. Much luck to you in the future.

Sincerely yours,

A handwritten signature in cursive script, appearing to read 'Lora Lee', written in dark ink.

Lora Lee
Story Editor

encl.
LL/vcm

A handwritten mark consisting of a stylized letter 'E' with a vertical line through it, possibly representing initials or a signature.

[[COMIC BOOK -----]]

The Matrix is not an easy film to explain. Beneath a story of unexpected complexity, it is, at its core, a film of ideas and it is those ideas that have inspired this project: a collection of stories set in the world of the Matrix.



The stories stand alone. They are not adaptations.

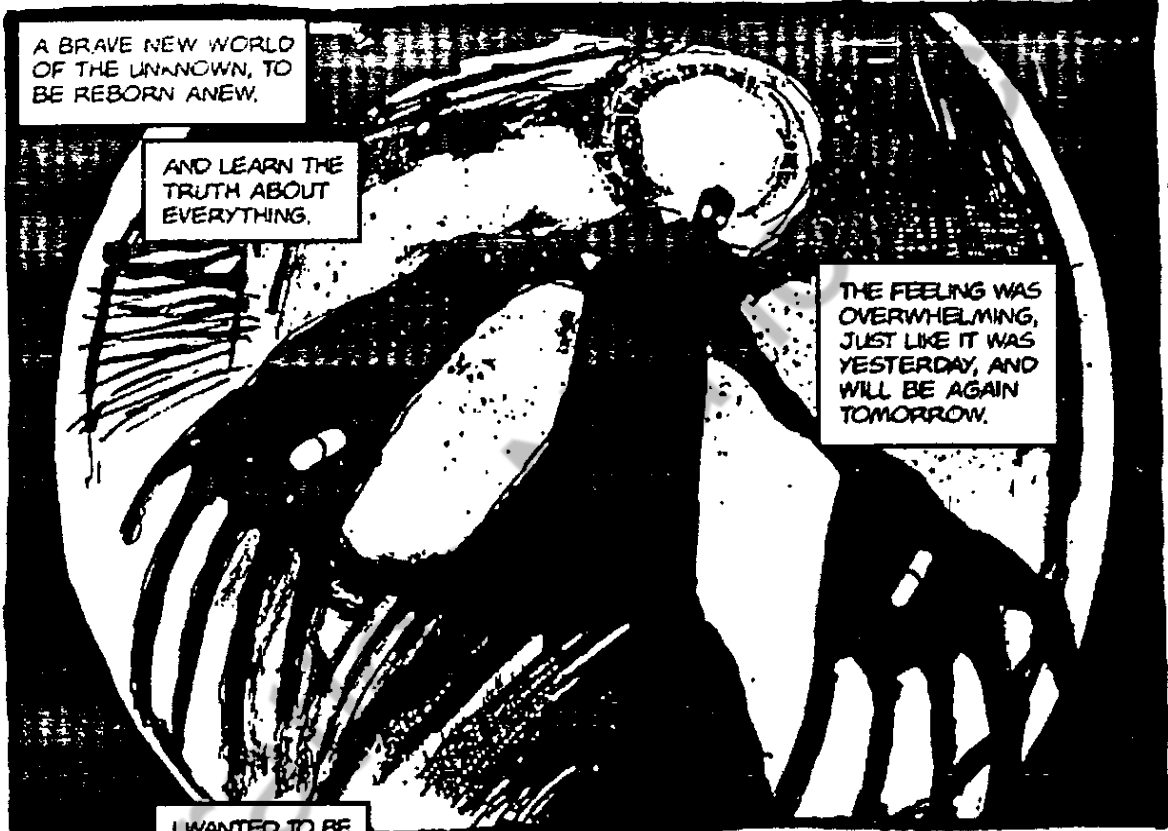
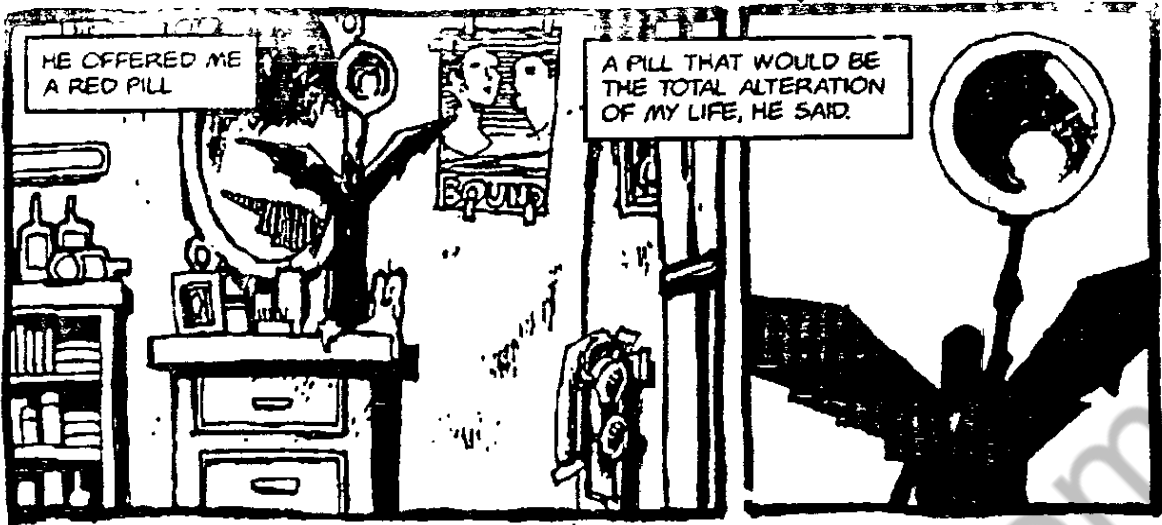
The contributors are some of the most talented artists and writers working in the comics medium today.



They include: Paul Chadwick (CONCRETE), Neil Gaiman (SANDMAN), Bill Sienkiewicz (ELECTRA ASSASIN), Harlan Ellison (I Have No Mouth and I Must Scream), Steve Skroce (GAMBIT), Michael Kaluta (BOOKS OF MAGIC), Geof Darrow (HARD BOILED), Poppy Z. Brite (LOST SOULS), Larry and Andy Wachowski (BOUND), Ted McKeever

(METROPOL), among others.

The stories work without seeing the film and run a wide spectrum of types, from action to contemplation to frightening, much like the film itself.



H

Matrix, The (1999)

reviewed by
Ken Pierce

The following review is supplied by www.dvdfuture.com

Directors: Larry & Andy Wachowski
Writers: Larry & Andy Wachowski
Producer: Joel Silver

Studio: Warner Brothers

Characters:

Keanu Reeves - Neo
Laurence Fishburne - Morpheus
Carrie-Anne Moss - Trinity
Joe Pantoliano - Cypher
Hugo Weaving - Agent Smith

Review: Well, The Matrix has to be one of the most difficult reviews I've ever had the pleasure of writing. I say "difficult", because it's an incredibly difficult movie to critique without giving away too much of the plot. Like so many movies which have intricate, weaving plotlines, a lot of the fun is watching the twists and turns unfold. As such, I will not go into a long explanation of what The Matrix is about, but will instead talk about some of the hits and misses for this film.

First and foremost, I expected a lot from this film. I should say out front, though, that the filmmakers' previous effort, *Bound*, did not impress me at all. I thought it was pretty standard fare, and suffered from a plot line which dragged intensely at some points. Still, though, there was certainly a dramatic flair, and a touch for those things odd. This is what excited me about The Matrix, I didn't expect it to be standard fare, and I was right.

The Matrix is a movie that almost everyone can enjoy. I've heard some older critics complain that the soundtrack is too loud, but I found it fit the look and feel of the movie perfectly. This movie has the same art director as *Dark City*, and it shows. It also shares more than a few plot elements with *Dark City*, but goes places *Dark City* should've gone. The Matrix owes a lot to *Dark City* and *Terminator*, but in most ways expands upon the ideas presented in those films. I would have to say that The Matrix is much better than *Dark City*, and (here is a huge compliment) as good as *The Terminator*. This movie will be a science-fiction/action film classic.

First the pros: The art direction, set design and special effects are outstanding. As is Carrie-Ann Moss as Trinity, Hugo Weaving as Agent Smith and Joe Pantoliano as Cypher. The action sequences are incredibly well filmed, and the movie clips along at an incredible pace. Warner Brothers gets bonus points for not giving away the whole freakin' movie in the trailer. Most of the "COOL!" shots in the trailer take place in the first three to five minutes of the film (!), there's a LOT more here than the trailer shows. The plot line is beautifully intricate, and keeps you guessing at various points in the movie. It has a tendency to go left when you expect to go right, except when you start to expect it to go left, then it goes right. Great stuff!

Matrix, The (1999)

Page 2 of 3

MPAA: Rated R for sci-fi violence and brief language
Runtime: USA:144 / Australia:136
Country: USA
Language: English
Color: Color (Technicolor)
Sound Mix: DTS / Dolby Digital / SDDS
Certification: USA:R / Australia:M / Italy:T / Norway:15

User Comments:

Christine Fata (thekeek@aol.com)
 Scottsdale, Arizona

Date: 11 May 1999

Summary: What is the Matrix...oh my god, Becky..

The Matrix (The Wachowski Brothers) -
 Brought to you by the
 writing/directing/producing brothers who also
 brought us "Bound" and wrote "Assassins"
 for Richard Donner. Starring Keanu Reeves,
 Laurence Fishburne, Carrie-Anne Moss and
 Joe Pantolione. What is the Matrix? It's very
 difficult to accept a concept that is so far from
 normal thought as to be nearly
 incomprehensible. Even more difficult, I
 imagine, to incorporate such an unimaginable
 concept into your everyday realm, and be told
 to forget everything you know and understand
 as reality. Add to that, the responsibility of
 being told that you are the new Messiah, the
 next Saviour, the only hope... THE ONE.

Well, I'd say "forget it" and probably cave.
 Or, I'd face this new adventure with open
 eyes, an open mind and hope it's not TOO
 terrible. For this adventure is an amazing one.
 The story is tried and true - Good vs Bad, it
 always is. But it's a gripping story with
 incredible...no, better than incredible... more
 like Un-Freaking-Believable special effects
 and fight scenes. I was entranced. Not once as
 I watched did I utter the phrase "Oh, I am SO
 sure". Not even once! I perceived the fights as
 real, accurate, believable. I'm very critical
 from watching Hong Kong action and their
 hyper-dramatic martial arts fight scenes, but
 here, we are led down a path gently focusing
 our eyes to what the filmmakers wish us to
 believe and the concept placed in my mind
 made all the amazing fight scenes jaw-
 dropping.

It's all like that. The unbelievable is now not
 only believable, but a working part of the
 universe as we know it. Or maybe not.
 Confused? Oh you will be.. You WILL be..
 And then, like an epiphany.. or maybe a two

Beauty where you see this close-up of Liv Tyler's hand going right underneath her panties - it's like she's kneading bread, practically! We stood up and screamed, 'I can't believe I'm watching this!' Larry called the bisexual author Susie Bright, a friend and technical advisor on Bound. She said: "That was your first experience of homophobia. Makes you mad doesn't it?"

The Wachowski Brothers are now hard at work on their next project, Matrix, a science-fiction yarn based on "the script that nobody understands", as Larry puts it. "The studio made us put an intro on it that basically explains the plot," adds Andy. "At the first story conference, our guy was going [adopts Mr Magoo voice], like, 'Now I know this is something very cool; I just don't know why... Could you just explain what it's all about?'" At which point the phone rings and Larry takes a call from studio hotshot Joel Silver in the next room. As Andy sits chatting, interview over, his brother's voice can be heard, rising in amplitude and pitch. "I don't believe it.... They said what? They can't do that!"

Directing, the Wachowski Brothers agree, is more difficult than they had envisaged. Still, says Andy, should they ever need to go back to carpentry, they've made some great contacts. "There's lots of refurbishment to be done in Hollywood."

interview by Andrew Smith, appeared in The Guardian newspaper on Friday February 7th 1997

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A Muttley Production | Created: February 27, 1997

Handwritten mark

C I N E M A

Popular Metaphysics

In *The Matrix*, the Wachowskis make a hit film out of the Bible, cyberpunk and higher math

By RICHARD CORLISS

BUNCH OF GUYS AT A MANHATTAN 'plex watching *The Matrix*. Carrie-Anne Moss kicks some 'droid butt, makes a streetwide leap from one building top to the next, then crash lands through a small window. "The bitch is bad," one of the guys opines. "Go, girl!" Then Laurence Fishburne shows up as Morpheus—a morphing Orpheus, a black White Rabbit, an R.-and-B. Obi-Wan Kenobe, a big bad John the Baptist, a Gandalf who grooves; every wise guide from literature, religion, movies and comix. Though he's in a dark room in the dead of night, and as if he needed to be more cool, Fishburne is wearing these teeny black shades. Another guy at the 'plex says approvingly, "Those glasses are *fabulous!*"

To deliver a futurismo fashion statement and a can of whup-ass in the same movie—this is smart filmmaking. Larry and Andy Wachowski, the Chicago-bred brothers who wrote and directed *The Matrix*, are smart in a way moviegoers love and Hollywood moguls cherish: the picture, shot in Australia for \$63 million, had the year's strongest opening weekend and pulled in a robust \$50.7 million in its first nine days. The film's producer, Joel Silver, says the boys have a sequel in mind, and cannily adds, "The more success the movie has, the more willing they'll be to write it down." Suddenly Larry, 33, and Andy, 31, are giving Peter and Bobby Farrelly (*There's Something About Mary*) competition as the hottest brother act in town.

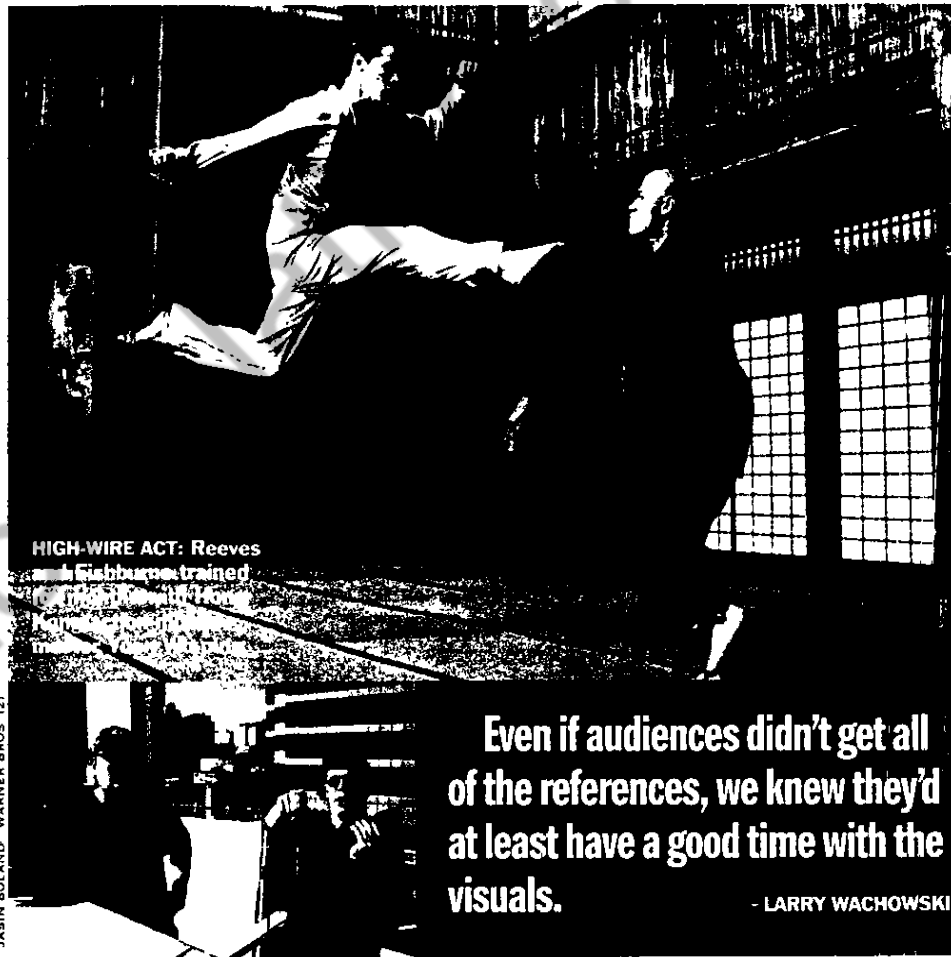
But the Wachowskis, whose first directorial effort was the seductive femme-noir drama *Bound*, have deeper fish to fry. "We're interested in mythology, theology and, to a certain extent, higher-level mathematics," says Larry. "All are ways human beings try to answer bigger questions, as well as The Big Question. If you're going to do epic stories, you should concern yourself with those issues. People might not understand all the allusions in the movie, but they understand the important ideas. We wanted to make people think, engage their minds a bit."

And blow their minds a lot. The film posits that life as we know it is a computer simulation: it is, Morpheus says, "the

world that has been pulled over your eyes" by some creepezoid machines that look like spidery octopi. Who can free a mankind that doesn't know it's enslaved? Morpheus believes the cybermessiah is Neo (Keanu Reeves), a computer hacker. Early in the film Morpheus offers two pills to Neo. Take the blue one, you wake up and remember nothing. Take the red pill,

tion, *The Matrix* plunders *Blade Runner* and *The Terminator*: bad machines, grungy rebels and rain, rain everywhere, even indoors. It invokes the kung furiosity of prime Jackie Chan and the heroic bloodshed and long coats of John Woo movies; the Hollywood-Hong Kongglomeration has never meshed so suavely as in this film's fight scenes and wire-work aerobatics. Never seen the mega-imaginative, ultraviolent Japanese cartoons known as anime (*Akira*, *Ghost in the Shell*)? Now you have—in whirling live action.

Those are just the movie references. The Wachowskis, both dropouts from good colleges (Larry from Bard, Andy from Emerson), want to weld classic lit, hallucinogenic imagery and a wild world



HIGH-WIRE ACT: Reeves and Fishburne trained

JASIN BOLAND/WARNER BROS. (2)

Even if audiences didn't get all of the references, we knew they'd at least have a good time with the visuals.

- LARRY WACHOWSKI

"you stay in Wonderland. And I show you how deep the rabbit hole goes."

Naive viewers may think *The Matrix* is just a cool way to pass the time while sitting in the *Phantom Menace* waiting room. They should think again, breathe deep, get strapped in for a brain-popping trip. *The Matrix* is a careering cyberride without the headset, a virtual masterpiece. Every other movie out there is the blue pill. This one is the red.

An anthology of dystopic science fic-

of philosophical surmises to pop culture. The Bible meets Batman; Lewis Carroll collides with William Gibson; Greek and geek mythology bump and run. Hell, you may find string theory in *The Matrix*.

As the children of a businessman and a nurse, the boys created comic books, and the obsession continued into their 20s. "Jack Kirby comics interested us," says Andy. "We liked the idea of punching guys through brick walls and over-the-top action like that." But they con-

C I N E M A

nected as well with older, more revered sources. "The Bible seeks to answer a lot of relevant questions for man," says Larry. "In the film we refer to the story of Nebuchadnezzar; he has a dream he can't remember but keeps searching for an answer. Then there's the whole idea of a messiah. It's not just a Judeo-Christian myth; it also plays into the search for the reincarnation of the Buddha."

The search—the quest—informs Greek myths ("We have Orpheus and Morpheus in the film," says Larry) as well as *Alice's Adventures in Wonderland*: "It's a story about consciousness," says Larry, "a child's perception of an adult's world. *The Matrix* is about the birth and evolution of consciousness. It starts off crazy, then things start to make sense." It can also be read as a variant on Gibson's *Neuromancer*, the 1986 cyberpunk classic about a computer cowboy on the run. "It'd be near impossible to make a movie out of that," says Larry. "We knew the way to make it relevant was to turn what we view as the real world into a virtual reality."

And now, for extra credit: theoretical mathematics. The lads became fascinated, Larry says, "by the idea that math and theology are almost the same. They begin with a supposition you can derive a whole host of laws or rules from. And when you take all of them to the infinity point, you wind up at the same place: these unanswerable mysteries really become about personal perception. Neo's jour-

ney is affected by all these rules, all these people trying to tell him what the truth is. He doesn't accept anything until he gets to his own end point, his own rebirth."

Great, guys, but is Joe Popcorn supposed to carry a *Matrix* concordance in his head? "We wrote the story for ourselves and hoped others would pick up on it," says Larry. "Every studio we showed it to thought no one would understand it. We told them it would be complex and dense, but we were also going to shoot the best action scenes and coolest computer graphics ever. Even if audiences didn't get all of the references, we knew they'd at least have a good time with the visuals."

Kind of like *Star Wars*, eh, where the kids came for the laser show and stayed for the course in Joseph Campbell? Well, maybe not. "The Force is good, fun stuff," says Larry. "I grew up on those movies. But we were hoping to do something a little more sophisticated with *The Matrix*."

Comparisons aside, the brothers have shown they can make a science-fiction epic that both probes and throbs. George Lucas' *May* tricks are a month away, but Andy and Larry have proved that right now they're the big Wachowski. —Reported by Jeffrey Ressler/Los Angeles



BOURGEOIS BLISS: Watson and Bale make a good case for grownup pleasures

Family Values

Who needs sex, drugs or rock 'n' roll when you can have Emily Watson?

HE HAS IT ALL: "CREATIVE" JOB, SENSIBLE wife, pretty child, starter home in *Metroland*, the generic name for London's middle-class suburbia. Chris (Christian Bale) also has something he doesn't need: his best friend from the swinging '60s, a wandering poet named Toni (Lee Ross), who lurches back into his life in the late '70s to taunt and tempt him. The taunts are about the road not taken—abandoned career in photography, abandoned girlfriend (sweet, sexy Elsa Zylberstein) from his years in Paris. The temptation is to return to youthful irresponsibility.

Uh-oh—another wistful study of quiet desperation among the symbol manipulators, another examination of how the anarchic spirit of the '60s got sold out. But this adaptation of Julian Barnes' first novel, by director Philip Saville and screenwriter Adrian Hodges, has some good things going for it. They understand that it isn't politics, Pop Art or drugs that would come permanently to haunt the memories of that brief, lost time for people like Chris. It's the sex, stupid. And the freedom that era offered to pursue it across all sorts of formerly formidable barriers.

There's honesty and energy in the film's flashbacking pursuit of that thought. But Chris' lasting luck is his wife Marion. Emily Watson plays her as a kind of dream nanny—knowing, ironic, tolerant of his erotic nostalgia and not as prim as she looks. She, and *Metroland*, finally make a good, subtle case for the bearable weightiness of middle-class being, for the higher morality of muddling through. —By Richard Schickel

THE MATRIX CONCORDANCE

Finnegans Wake has its skeleton key, *Gatsby* its Cliff Notes. A film as densely allusive as *The Matrix* needs a box score, with Wachowski footnotes:

The Bible	As in the Scriptures, only the true messiah can save humanity. But this one must first conquer his own doubts.
Greek Mythology	"We have Orpheus and Morpheus in here," Larry says. The <i>Odyssey</i> , with its prophetic oracle, was a touchstone text.
Alice's Adventures in Wonderland	In this version Alice is a guy, the Eat Me cakes are pills, the White Rabbit is black, and the rabbit hole is a toilet.
Japanese Anime and Hong Kong-Fu	In Asian cartoons and live action, flying is the only way to travel. Here characters walk up walls and leap-frog buildings.
Cyberpunk Novels	As in <i>Neuromancer</i> , our hero enters a virtual world where he pits his cunning against dark lords of artificial intelligence.
Theoretical Mathematics	The boys read <i>The Tao of Physics</i> and Gödel, Escher, Bach. Where do physics and metaphysics meet? At <i>The Matrix</i> .
Jungian Psychology	Archetypes in hyperspace. Larry: "Mythology lets you talk to old cultures and future ones." The movie is Jung at heart.





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The Matrix

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Synopsis:

In the near future, a computer hacker named Neo (Keanu Reeves) discovers that all life on Earth may be nothing more than an elaborate facade created by a malevolent cyber-intelligence, for the purpose of placating us while our life essence is "farmed" to fuel the Matrix's campaign of domination in the "real" world. He joins like-minded Rebel warriors Morpheus (Laurence Fishburne) and Trinity (Carrie Ann Moss) in their struggle to overthrow the Matrix.

[Production Notes](#)

Genre:

SciFi, Action

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Rating:

R for sci-fi violence and brief language

Cast and Credits:

Starring: [Keanu Reeves](#), [Laurence Fishburne](#), [Carrie-Anne Moss](#), [Hugo Weaving](#), [Joe Pantoliano](#)

Running Time:

2 hrs. 30 min.

Directed by [Andy Wachowski](#), [Larry Wachowski](#). Produced by [Andrew Mason](#), [Joel Silver](#). Written by [Andy Wachowski](#), [Larry Wachowski](#). Distributed by [Warner Bros.](#)

[Film Bios](#) - [Credit List](#)

Release Schedule:

March 31, 1999
Nationwide

Play the Trailer:

• [Real Video...](#)from the [Film.com](#) Screening Room

More Info:

[Official Site](#)
[Yahoo! Full Coverage](#)

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Say the brothers, "We believe passionately in the importance of mythology and the way it informs culture."

Their ideas were further refined through their exploration of the developing world of the Internet. For writers and filmmakers who have come of age after the emergence of personal computers, the online universe is both an exciting and fertile new avenue of creative expression, and a ubiquitous and somewhat sinister element of contemporary life. The Wachowskis explored both sides of the technological revolution when they created The Matrix. Say the Wachowskis, "We began with the premise that every single thing we believe in today and every single physical item is actually a total fabrication created by an electronic universe." The brothers developed this disturbing thought into an intricate story that blends action, stylish imagery and a complex consideration of what actually constitutes reality.



Although the Wachowski brothers first gained widespread attention and critical accolades when they wrote and directed the dark romantic heist thriller, "Bound," they had already written "The Matrix" before they began working on "Bound." They sent their completed script to producer Joel Silver, who has explored alternative futures in such hit movies as "Predator" and "Demolition Man." He was immediately fascinated

and acquired the property.

Explains Silver, "The Matrix' is a very complex story; it takes place in the future but it is told in the present. Larry and Andy have spent years fine-tuning the script so the audience can accept and understand this story. Very rarely do you find filmmakers who know so exactly what they want and are as decisive as these two guys."

The filmmakers' plan for the movie was to combine their provocative dramatic premise with images, effects and action that would truly astound audiences, and fight scenes using Asian cinematic techniques of wire fighting that would break new ground with their intensity and style. Further, the Wachowskis sought out cutting-edge camera techniques to enable them to render entire sequences in ways that action films have never been seen before.

the martial arts

"The Matrix" is a movie with a lot of ideas, but it is unmistakably a rousing action-thriller at the same time. Many of the fight scenes in the story dramatically demonstrate the evolution of Neo's character and the power of his adversaries. The style of these physical confrontations grows directly from the nature of The Matrix.




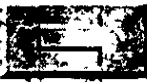
Explain the Wachowskis, "Once you start dealing with a digital reality you can really push the boundaries of what might be humanly possible. So if characters in 'The Matrix' can have information instantaneously downloaded into their heads, they should, for example, be able to be as good a Kung Fu master as Jackie Chan."

This premise offered the Wachowski brothers a chance to work in

 see it for yourself. - (281 kb)

THE CAST OF THE MATRIX		
 NEO Keanu Reeves	 MORPHEUS Laurence Fishburne	 TRINITY Carrie-Anne Moss
 AGENT SMITH Hugo Weaving	 TANK Marcus Chong	 CYPHER Joe Pantoliano
 SWITCH Belinda McClory	 APOC Julian Arahanga	 MOUSE Matt Doran




[Prior film](#)
[Movie Index](#)
[Next film](#)

N

June 28, 1999

Andy & Larry Wachowski
Warner Brothers
4000 Warner Blvd.
Burbank, CA 91522

Re: ""The Third Eye"/"The Matrix"

Dear Sirs:

This letter is to inform you that I have given key evidence and the name of a witness to the Federal Bureau of Investigations, on June 10, 1999, for criminal prosecution.


I have submitted my original draft, illustrations and character analysis pertaining to "The Third Eye" to you to make into a comic book. I discovered years later that not only have you used my epic material for the comic book "The Matrix," but you have also adapted from chapters, illustrations, and characters of my published book (published November 23, 1983) into a screenplay called "The Matrix."

I have contacted you numerous times asking you to pay for the stolen material and have not received a reply from you. However, I have received several letters from Warner Brothers asking for evidence to use against me as a cover-up. I have since discovered why. You leave me with no choice in the matter. Since you have been living off of me, so to speak, for a number of years now, I see no course other than to take this matter to the Federal authorities.


You have committed a white collar crime, (willful copyright infringement is a federal crime and perjury a felony), a crime I feel would not have been discovered if you did not continue this unauthorized activity.

Gentlemen, I will not let this matter go unresolved...you will pay me a settlement or restitution for the stolen material. Either way, I will be paid for the work I have done. I have given you every fair chance to comply and I am prepared to have you prosecuted to the fullest extent of the law. This is a very serious matter; a federal investigation will uncover other activities. The FBI took my information due to copyright thefts. Washington needs a "high profile case" to be made an example of! I suggest you get some criminal lawyers if you do not intend to pay...Timing is Everything!

Sincerely,


Sofia Stewart

P.O. Box 165153
Salt Lake City, UT 84116
(801) 575-8387

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million,' " says Pantoliano, who plays a feature role in *The Matrix*. "They didn't see the light of day for 365 days."

Actually, the Wachowskis, who less than a decade ago were running a small construction business in their native Chicago, spent 5 1/2 years on *The Matrix*. They wrote 14 screenplay drafts and, in an almost unheard-of move, supervised about a half-dozen artists who drew storyboards (some 500 in all) of every scene to persuade Warner Bros.' top brass to make the film.



Action hero: In the sci-fi t 'The Matrix,' Keanu Reeve plays Thomas Anderson, a anonymous computer programmer who becomes bullet-dodging Neo, pursue mysterious agents (WB).

"You talk to people and they always ask, 'Why are action movies so dumb?' " Larry says. "We hope people are more interested in a more intelligent approach. We hope they are not just interested in what we call McDonald's movies, the standard you-know-what-you-get" films.

Preparation was key. Along with storyboarding, the Wachowsk insisted the film's principal actors — Reeves, Laurence Fishbur Carrie-Anne Moss and Hugo Weaving — take four months of intensive martial arts training.

Larry and Andy also envisioned an innovative style of special e The brothers worked on comic books before selling their first screenplay (the Sylvester Stallone-Antonio Banderas bomb *Assassins*, of which Larry says, "We tried to get our name tak that film"). They wanted to bring the Japanese style of animatio called anime to live action.

The anime perspective would allow a camera to follow an obje motion and shift the view while other objects remain still.

For example, the Wachowskis wanted to show a bullet speedin motionless character while moving the audience's viewpoint.

They considered a "rocket camera" that would go 300 mph. But Andy, "the insurance people didn't like that."

Eventually, with the help of visual-effects maven John Gaeta, t brothers worked out an intricate system that in some scenes use high-tech cameras and a laser-guided tracking system.

Their determination to get it just right has earned praise from th they work with.

The Wachowskis, says *Matrix* producer Joel Silver, "are very similar to (writing/directing team) the Coen brothers. They bot know what they want, they really do it together, and they know they have to do to get it done."

The Wachowskis may know what they want on screen, but they typically anti-Hollywood when asked about the future. Will the do another movie?



Warner bros. Legal dept.

P.O.Box 165153 Salt Lake City, Ut. 84116
801 575-8387

April 9, 1999

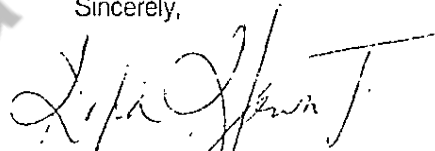
4000 Warner Blvd.

Dear Sir or Madam:

I recently spoke with your office about the movie "Matrix" April 1, 1999. This movie is a unauthorized derivative work based on my book called "Third Eye". I wrote this book in May 1981 TXU 117-610 and added to it November 1983 TXU 154-231. Many producers, production companies, editors, lawyers comic-book illustrators had access to this material. I have a list of all people involved. I was attending USC (University Of Southern California) at the time. I own all rights to this book. Since I never authorized you to do any work , it follows that you infringed upon my copyright by doing so.

This letter is to demand that you immediately cease and desist from selling or showing of this movie. In addition , I demand to be reasonably compensated for the use of my book and all work that have been copied and sold. Please respond to this letter by May 13, 1999 .

Sincerely,



Sofia Stewart
Author/Writer





Pamela Kirsh
Vice President and General Counsel
Theatrical

WARNER BROS.

4000 Warner Boulevard
Burbank, California 91522
(818) 954-2331
Fax: (818) 954-3490

U.S. Mail

April 14, 1999

Sofia Stewart
P.O. Box 165153
Salt Lake City, Utah
84116

re: "THE MATRIX"

Dear Ms. Stewart,

I am responding to your April 9, 1999 letter to the Warner Bros. Legal department concerning the above-referenced matter. In order to evaluate your claim that THE MATRIX infringes your copyright in and to your book entitled "Third Eye", I will need the following information and documents:

- (1) a copy of your book "Third Eye";
- (2) copies of the copyright registration and Writers Guild registration, if any;
- (3) evidence of access (including date submission) by Warner Bros. or anyone else associated with THE MATRIX to your book;
- (4) an analysis of the similarities between THE MATRIX and "Third Eye"; and
- (5) any other information you believe would be relevant for us to consider in evaluating your claim.

As I'm sure you understand, Warner Bros. reserves all of its rights and remedies in this matter.

Very truly yours,



Pamela Kirsh

PK/csa

A Time Warner Entertainment Company



Pamela Kirsh
Vice President and General Counsel
Theatrical

WARNER BROS.

4000 Warner Boulevard
Burbank, California 91522
(818) 954-2331
Fax: (818) 954-3490

By U.S. Mail

May 7, 1999

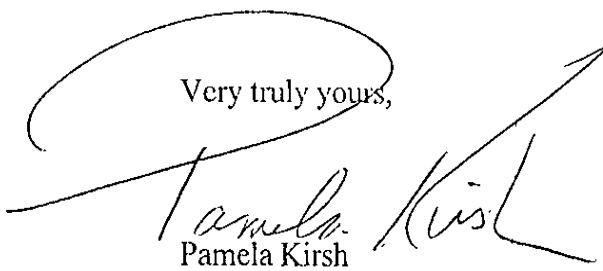
Sofia Stewart
P.O. Box 165153
Salt Lake City, Utah 84116

re: "Third Eye"

Dear Ms. Stewart,

I received the materials you sent in connection with your claim that "THE MATRIX" infringes your work "Third Eye". We are now able to conduct an investigation and evaluation of your claim and will respond to you in more detail as soon as that process is complete. Please understand that may take a few weeks. In the meantime, if you have any additional information which you believe will substantiate your claim, please forward it to my immediate attention.

Very truly yours,


Pamela Kirsh

PK/csa

cc: John Schulman
Jeremy Williams

S



Jeremy N. Williams
Senior Vice President
Deputy General Counsel

WARNER BROS.

4000 Warner Boulevard
Burbank, California 91522
(818) 954-2096
Fax: (818) 954-3503
E-Mail: jeremy_williams@warnerbros.com

June 1, 1999

Via Fax (801 364 4867) and First Class Mail

David G. Turcotte
1101 South 800 East
Salt Lake City, Utah 84105

Re. The Matrix—Sofia Stewart

Dear Mr. Turcotte:

Your May 21, 1999 letter to John Schulman and Pamela Kirsh has been referred to me for reply. I appreciate the chance to express our view of the matter to you in the hope of resolving it without litigation.

I can best do that by referring you to my May 19, 1999 letter to Ms. Stewart. You didn't mention that document your letter, so in case you have not seen it I enclose a copy for your review. In the letter, I explain in some detail why her claim lacks merit. Obviously, there is no point in repeating that detail here. I will just summarize our reaction to the claim as follows:

1. The Third Eye and The Matrix hardly resemble each other. They are very different stories, differing in setting, characters, and plot. The few elements of similarity that exist fall way below the level of protectible expression, and even those elements are treated very differently in the two stories. The legally required infringement standard—substantial similarity—is not approached here.
2. Ms. Stewart has offered, and we have found, no evidence whatsoever of access to her unpublished work. As you know, courts in copyright cases will not accept mere possibility or speculation as a basis for establishing access. Without credible evidence of access, there is simply no case.

A handwritten signature in black ink, appearing to be 'J. Williams', written in a cursive style.

David G. Turcotte
Page 2




Regarding your question about the source of The Matrix, the answer is simple. There is no "source work" in the sense of some underlying work published in another medium. The film is based on an original screenplay, and the screenplay contains an original story created by its authors.

One other point is worth emphasizing here. In your letter, you state that a "simple denial" of liability "without supporting documentation" will not satisfy you or your client. That statement implies that we have the burden of proving that we did not copy your client's work. That is a legal theory that neither we nor any court will accept. On the contrary, your client must prove copying, and, as noted, we have seen no evidence that even suggests it.

As I hope Ms. Stewart will confirm, we have treated her claim seriously and respectfully. But based on everything we have seen to date, there is no merit in this claim. That leaves us no choice but to defend against it, and if necessary we are prepared to do so. We hope, however, that upon objective review of the evidence, you and Ms. Stewart may come to the conclusion that there is no basis here for legal action.

Sincerely,


Jeremy N. Williams

Enclosure

cc: Pamela Kirsh, John Schulman



WARNER BROS.

4000 Warner Boulevard
Burbank, California 91522-0022
(818) 954-4223 Fax: (818) 954-4768
E-Mail: john_schulman@warnerbros.com

John A. Schulman
Executive Vice President
and General Counsel

February 14, 2001

Ms. Sofia Stewart
PO Box 165153
Salt Lake City, UT 84116

Dear Ms. Stewart:

I appreciate your zeal about your *Matrix* claim. I invite, again, from you any new or additional evidence you have of substantial similarity between your work and the movie *The Matrix*. I also welcome any evidence you have of access by the movie's creators to your work. Such would enable us to evaluate your claim more fully, and might cause us to reach a different conclusion. To date, we have corresponded with you and your attorney, Mr. David Turcotte, whom we have not heard from since last summer. I thought that Warner Bros. had pointed out to you and your representative the reasons for our disagreement with your claim.

Sincerely,


John A. Schulman

JAS:hjl

U

State University at Fullerton. He disappeared into his physics studies, then restlessly switched to English, and ultimately dropped out. He married a waitress and worked variously as a machinist, a truck driver, and a school-bus driver; in the evenings, he nurtured his artistic ambitions by writing stories and painting.

The next pivotal juncture in Cameron's evolution as a director came in 1977, when he saw *Star Wars* for the first time. It was exactly the movie he had dreamed of making since watching *2001*, and it inspired him to finally get busy. With no formal training whatsoever, Cameron started to fool around with different moviemaking apparatuses, tinkering with lenses and beam splitters, and even building a dolly track in his living room. He made innumerable trips to the library at USC, where he pored over doctoral dissertations about various projection and special effects techniques; he made photocopies of everything he could and took careful notes on the material he couldn't. "My wife thought I was crazy," he later recalled. "The guy who used to like to smoke dope and go to the river and drink beer and drive fast cars, all of a sudden had gone psychotic on her. She was afraid of me."

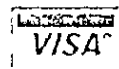
For his first project, Cameron and a friend financed and filmed a ten-minute short from scratch, using models, sets, and mattes they constructed themselves. With no more experience to his credit than that fledgling offering, he was hired at Roger Corman's New World Pictures, where he was named production designer and second unit director by his second assignment, *Galaxy of Terror*. After watching him shoot a scene involving close-ups of a disembodied arm covered with maggots — Cameron convinced the reluctant grubs to writhe using a hidden electrical charge — two Italian producers offered to let him direct a film called *Piranha II: The Spawning*.

The earnest twenty-five-year-old Cameron eagerly accepted the job and headed to Jamaica, only to discover that his crew was comprised primarily of Italians who spoke no English. The film's producers refused to let Cameron see any of his dailies, and they kept telling him that his work was "all shit." Distraught, the rookie director flew to Rome after production wrapped and demanded to see the film. Rudely informed that the final cut had been prepared without his input, Cameron broke into the studio's editing room using a credit card, found the print of *Piranha II*, and taught himself to use the unfamiliar Italian editing equipment to secretly re-cut the entire movie over the course of the next several weeks.

Sick, hungry, and flat broke, Cameron stayed in Rome until the job was done. On one of those dark days, he awoke from a particularly vivid nightmare with the idea for a story about an invincible robot hit-man. Vowing that he would never again direct someone else's movie, Cameron concluded that the only thing for him to do was to write a screenplay worthy of his talents. His fever dream bloomed into the script for *The Terminator*, which Cameron eventually sold to producer Gale Anne Hurd for one dollar and the condition that he be allowed to direct the movie — and direct it his way.

Made on a mind-bogglingly minimal budget of \$6.5 million, *The Terminator* scored a roaring financial victory and firmly established Cameron's reputation as both a writer and director of undeniable talent. For Hurd and Cameron's second collaboration, the sequel to Ridley Scott's *Alien*, 20th Century Fox rolled out the red carpet.

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Company credits for Terminator, The (1984)

Production Companies

- Cinema 84
- Euro Film Funding
- Hemdale Film Corporation
- Pacific Western

Distributors

- Artisan Entertainment [us] (Video)
- Home Box Office (HBO) Home Video [us] (video)
- Orion Pictures Corporation [us]
- Thorne EMI (video)
- VCL Communications GmbH [de] (Germany, video)

Special Effects

- Fantasy II Film Effects
- Stan Winston Studio

Opticals

- Ray Mercer & Company

Extras casting

- Christal Blue Casting

Robots supplied and operated by

- Overview
 - combined details
 - full cast and crew
 - company credits
- Articles & Reviews
 - user comments
 - external reviews
 - news group reviews
 - awards & nominations
 - user ratings
 - recommendations
- Plot & Details
 - plot summary
 - plot keywords
 - main summary
 - memorable quotes
- Trivia
 - trivia
 - goofs
 - soundtrack listing
 - alternate versions
 - movie connections
- Soundtrack
 - merchandising links
 - box office & business
 - release dates
 - filming locations
 - technical specs
 - user submitted
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- Production
 - trailers

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'T-3' Cost Lots Even Before Production Started

Continued From First Page

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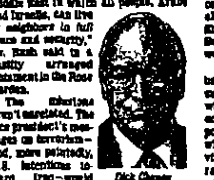
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Bush to Send Special Envoy to Mideast, As Cheney Begins Persian Gulf Trip

By JENNIFER COLEMAN
Special to The Wall Street Journal

WASHINGTON—With Vice President Dick Cheney set to depart on a Persian Gulf tour on his way to Saudi Arabia, President Bush said he is to send a special envoy to the region to lead another attempt to jumpstart peace talks between Israel and the Palestinians.



Dick Cheney

The United States will send a special envoy to the region to lead another attempt to jumpstart peace talks between Israel and the Palestinians.

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In brief remarks yesterday, Mr. Cheney said the Middle East crisis will be among the topics he discusses as he travels through the region, but it is not the only thing on his agenda. He said that the administration officials say they have a plan to send a special envoy to the region to lead another attempt to jumpstart peace talks between Israel and the Palestinians.

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Arnold Schwarzenegger, whom 'T-3' producers say is training six hours a day, was convinced by the latest version of the script—and the \$27 million pay—that the time had come to go cyborg again.

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Troops Cut the Area of al Qaeda Holdouts, As Officials Say Assault Could End Soon

By GARY COOPER
Special to The Wall Street Journal

U.S. and British troops cutting off al Qaeda and Taliban holdouts in the eastern mountains of Afghanistan have significantly cut the area in which those fighters are operating, officials said yesterday.

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Pension Move Mars a European Executive's High Standing

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Tricks of the Bottled-Water Trade

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Senate is Postponing Vote On Picking Nomination

By JAMES M. HANCOCK
Special to The Wall Street Journal

WASHINGTON—The Senate Judiciary Committee postponed for a week a vote on what appears to be the inevitable defeat of President Bush's nomination of Charles Pickering to become a U.S. appeals court judge.

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